

**STATE OF ALABAMA  
HOME BUILDERS LICENSURE BOARD  
REQUEST FOR PROPOSAL**

**LICENSE, COMPLAINT AND ENFORCEMENT  
TRACKING SYSTEM**

**SECTION I – INTRODUCTION & PROCEDURAL INFORMATION**

**1.1. PURPOSE.**

The State of Alabama Home Builders Licensure Board (referred to herein as the “HBLB”) solicits proposals from qualified providers interested in providing a cost-effective licensing, complaint and enforcement tracking system, including consulting and support services and all necessary administrative and support services, that will enable the Board to track databases, revenue, documents and manage document imaging, complaint registering, hearing scheduling and tracking, with a web inquiry interface, and to provide maintenance and help desk support for such system, which will be owned and operated by the HBLB.

**1.2 RESPONSE PREPARATION AND PROPOSAL FORMAT.**

This Request for Proposal (“RFP”) is issued in accordance with the requirements of Code of Alabama (1975), § 41-16-72. This RFP is not an offer to contract but seeks the submission of proposals from interested professional service providers that may form the basis for negotiation of a professional service contract or contracts. Proposals must be prepared in compliance with all instructions, conditions and requirements included in this RFP. Vendors are responsible for examining all documentation, schedules and requirements relevant to this RFP, and failure to observe all terms and conditions may cause any submitted proposal to be invalid. Information submitted by vendors must be sufficiently detailed to verify that services offered meet or exceed required specifications. Unless otherwise stated, the requirements outlined in this RFP are mandatory, and the HBLB reserves the right to use information available from any source other than vendors in the process of evaluating and selecting a suitable proposal. *The Board reserves the right to reject any or all proposals and to solicit additional proposals if that is determined to be in the best interests of the Board.*

**1.3 SUBMISSION OF PROPOSALS.**

Vendors must submit a properly signed and notarized printed proposal with one (1) additional printed copy and one soft copy on a properly labeled CD clearly and completely presenting ALL TECHNICAL AND PRICING DATA. **Vendors not submitting proposals according to the required instructions will not be accepted.** Whether mailed or hand delivered, proposals must be received in the office of the Board, 445 Herron Street, Montgomery, Alabama 36104, no later than 4:00 p.m., Central Standard Time, Friday, July 9, 2010. The proposal and accompanying

documentation become the property of the Board and will not be returned. It is the responsibility of each provider to ensure that the proposal is delivered at the proper time and place. It is the intent of the Board to evaluate all proposals in a standardized and objective manner. For this reason, proposals that do not conform to the format specified in this RFP and which are not delivered as specified in this RFP will not be considered.

**1.4 COST OF PROPOSAL PREPARATION.**

Vendors are solely responsible for the cost of preparing their proposals. Neither the HBLB nor the state has any liability for any costs incurred by a prospective provider responding to this RFP for the preparation, production, demonstration, presentation or any other work performed prior to the issuance of a contract. If this RFP is canceled at any time in the proposal process, vendors may not collect any costs incurred in preparation of their proposals.

**1.5 SOURCE FOR PROPOSAL REQUIREMENTS.**

Proposals must be based solely on this RFP. The HBLB is not bound by oral explanations or instructions given during the procurement process, unless specifically included in this RFP, as a subsequent addenda issued prior to the closing date.

**1.6 PROPOSAL VALIDITY.**

Submitted proposals must be valid for at least ninety (90) days after the closing date of this RFP.

**1.7 PERFORMANCE GUARANTEE.**

Within ten working days after notification of award, the successful vendor must provide an acceptable performance bond to the HBLB in an amount equal to one hundred percent (100%) of the total proposal as a guarantee for delivery, implementation and acceptance of services in compliance with specifications, and as warranty that services awarded meet all performance standards and criteria outlined in this RFP. If a vendor fails to deliver, implement or perform to the satisfaction of the HBLB during the acceptance period, the contracting authorities for the HBLB reserve the right to proceed against the performance bond and to cancel any purchase orders and any associated agreements without incurring present or future liability to the HBLB. The performance bond must remain in place for a period of thirty calendar days after the system is placed in production status without significant downtime caused by system failure. If significant downtime occurs because of system failure, the evaluation period will be extended for an additional thirty days. The HBLB will be the custodian of the performance bond, and the bond will be returned to vendor when the project is completed and the Home Builders Licensure Board has signed an acceptance agreement.

**1.8 ADDITIONAL INFORMATION AND COMMENTS.**

The Proposal should include any additional information that is believed to be pertinent but not explicitly asked for elsewhere in this RFP.

### **1.9. ORAL PRESENTATIONS.**

Oral presentations may be requested if necessary to properly clarify compliance with the requirements of this RFP. The HBLB will not be liable for any costs associated with oral presentations.

### **1.10. CONVERSION.**

The proposal must include the conversion of the current licensing database system. The current system is available for vendors to review BY APPOINTMENT ONLY. Please contact J. R. Carden, Jr., Executive Director, 445 Herron Street, Montgomery, Alabama, 36130; (334) 242-2230; [chip.carden@hblb.alabama.gov](mailto:chip.carden@hblb.alabama.gov) .

## **SECTION II – VENDOR INFORMATION**

### **2.1. CONTACT INFORMATION.**

The vendor must specify the name, title, office address, brief resume and business telephone number of those individuals responsible for the performance under the anticipated contract resulting from this RFP, including those individuals with primary day-to-day responsibility for the services contemplated herein, and specifying their relevant industry experience and location.

### **2.2. ORGANIZATION BACKGROUND.**

Provide a brief, general background description of the organization, including:

- Full company or corporate name, physical address of the headquarters office and the office to serve the Home Builders Licensure Board;
- How the business is organized (proprietorship, partnership, corporation, L.L.C.), parent or subsidiary corporations;
- The year in which the vendor was first organized to do business;
- Documentation that the vendor is qualified to transact business within the State of Alabama in accordance with Section 10-2B-15.01, *et seq.*, Code of Alabama (1975), and possesses a Certificate of Authority issued by the Secretary of State at the time a professional services contract is executed. For the entire term that the contract is in effect the selected provider must continuously be in good standing with the State of Alabama and with any political subdivisions thereof which have jurisdiction over the provider's operations;
- The organization's experience in providing services comparable to the type presented in this RFP;
- Other types of services the vendor provides.

**2.3. FULL-TIME EMPLOYEES.**

The vendor must specify the number of full-time employees and the role of each in performing the services required in this RFP. The vendor must also designate the location to be utilized for development during the course of this project.

**2.4. REFERENCES AND RELATED EXPERIENCE.**

Provide a comprehensive history of the provider's experience in providing services identified as required by the Board in this RFP, including a list of at least three (3) references of comparably sized organizations currently using the application services which are the same or substantially similar to those specified in this RFP. These applications must have been operational for at least two (2) years. A brief description of the application must be provided with the name, title, business address and telephone number of the client to contact regarding the services provided. The HBLB reserves the right to contact each client listed in the proposal.

**2.5. FINANCIAL STATEMENTS.**

The vendor must submit a copy of its audited financial statements for the most recent two (2) years. These will not be made available for public release.

**2.6. POTENTIAL CONFLICTS OF INTEREST.**

The vendor must state clearly any potential conflicts of interest and any current or past relationship with the Home Builders Licensure Board. The proposal must include a completed Disclosure Statement using the form described in section 3.10 of this RFP, and must be signed by a duly authorized officer of the provider organization.

**2.7. STATE BUSINESS—RELATIONSHIPS.**

The vendor must state clearly any current or past relationships with the State of Alabama and provide the name and address of the person to contact to verify the relationship. The proposal must include a completed Disclosure Statement using the form described in Section 12 of this RFP, and must be signed by a duly authorized officer of the provider organization.

**2.8. SUBCONTRACTORS.**

Any subcontractor employed by the vendor in the course of this project must be clearly documented, with organizational information as requested in 2.2. Organizational Background listed above.



## **SECTION III - EVALUATION OF PROPOSALS AND SELECTION OF PROFESSIONAL SERVICE PROVIDER**

### **3.1. PROCEDURE.**

After receipt of the proposals, HBLB will evaluate all proposals to determine those vendors which are qualified, and then based solely on its own judgment will further determine which has offered the best proposal to meet requirements.

### **3.2. CRITERIA FOR SELECTION.**

Proposals will be evaluated upon the contents of the proposal, information received from other sources and public knowledge. Selection will be based on all factors listed below and others implicit within this RFP.

**The presentation sequence of the criteria below does not indicate their precedence but the vendor must satisfy the HBLB'S requirements in (1) through (4) to be considered in the price competition in (5).**

- 1) Requirements. Proposal must meet the format as presented in Section V for designating the ability of the vendor system to satisfy each requirement.
- 2) This criterion includes an evaluation of:
  - a. Qualification Vendor's past experience with applications of this type and scope;
  - b. ability of the vendor to perform the terms of the RFP;
  - c. quality and relevancy of the services proposed.
- 3) Support. This criterion includes an evaluation of any and all support proposed by the vendor.
- 4) Installation. Proposal must include the estimated conversion time line and installation date.
- 5) Cost. The HBLB awards contracts to the lowest cost, responsible vendor responding to the RFP that in the HBLB'S determination meets or exceeds the criteria specified for selection as defined by the Alabama Competitive Proposal Laws.

Upon review and evaluation of all proposals, the Executive Director of the Board may select the professional service provider determined to best meet the needs of the Board. Upon selection of the preferred professional service provider, the Executive Director of the Board may initiate negotiations for contract terms and conditions, including fees.

### **3.3. RESERVATIONS.**

*The HBLB reserves the right to award or reject any of the proposals, or any parts thereof, received in response to this RFP, if it is considered to be in the best interests of the HBL and the HBLB may solicit additional proposals.*

### **3.4. RECISSION OF AWARD.**

If an award is made by HBLB, and prior to execution of a contract, subsequent information indicates that the award was not in the best interests of the HBLB, or that parties are unable to come to agree on contract terms, the HBLB reserves the right to rescind the award and either award the contract to another vendor candidate or reject all proposals. If the vendor is unable to comply with any or all terms of this proposal, the contract will be null and void.

### **3.5. FALSE OR MISLEADING STATEMENTS.**

Proposals containing false or misleading statements, or which provide references not supporting attributes or conditions claimed by a vendor may be rejected solely at the HBLB'S discretion.

### **3.6. COMPLETENESS OF PROPOSAL.**

A proposal may be rejected if it is conditional, incomplete, contains any alterations of form or other irregularities, or is judged to constitute a deviation from the RFP requirements.

### **3.7. ACCOUNT REPRESENTATIVE.**

Extra consideration will be given to those vendors who have an Account Manager serving the State of Alabama who is a full time resident of the state.

### **3.8. PROFESSIONAL SERVICES CONTRACT.**

The professional service provider selected to provide the services specified in this RFP must enter into a written contractual agreement with the Board. The terms and conditions of such an agreement will be subject to review and approval by legal counsel for the Board, and the Legal Advisor to the Governor.

### **3.9. STANDARD FORM CONTRACTS.**

Should a professional service provider desire to utilize a standard form contract in the provision of the services specified herein, it should include the standard form contract with its proposal. If any term or condition of its standard form contract is non-negotiable, such term or condition should be clearly identified. Non-negotiable terms or conditions determined to be unacceptable to the Board may result in the disqualification of the professional service provider submitting the proposal.

### **3.10. LEGISLATIVE CONTRACT REVIEW.**

Any professional services contract resulting from this RFP is subject to review by the Contract Review Permanent Legislative Oversight Committee in accordance with Section 29-2-40, et seq., Code of Alabama (1975). This process requires a provider to submit a completed Vendor Disclosure Statement, the form for which is available at the website of the Attorney General: [www.ago.state.al.us/ag\\_items.cfm](http://www.ago.state.al.us/ag_items.cfm).

## **SECTION IV - SCOPE OF SERVICES**

### **4.1. DESCRIPTION.**

This section provides vendors the functional and technical requirements which must be addressed in the proposal to satisfy the proposal requirements.

### **4.2. RESPONSE REQUIREMENTS.**

Vendors must indicate whether or not their application satisfies each requirement listed in Section IV. The response to each separate requirement should indicate if the requirement is currently met within the vendor's proposed application, with an explanation of how the requirement is met. If any requirement is not met, the vendor must indicate the extent of effort necessary to make the application conform to the stated requirements.

### **4.3. SCOPE.**

#### **4.3.1. Project Overview**

The HBLB requires a delivered, as opposed to a hosted, automated system to improve the processing of applications, revenue receipts, tracking licensee information, consumer complaints, unlicensed builders and adequate accounting data. The primary goals of this system are to improve the efficiency of the HBLB licensing process and maintain records in a more suitable fashion, while providing security of private data.

The HBLB is charged by law with licensing and regulating industry professionals in Alabama. These include both individual and business entity licensees. The offices of the Home Builders Licensure Board are located at 445 Herron Street, Montgomery, Alabama 36104. The HBLB employs 17 persons, 12 of which are office staff and 5 are field investigators. All 17 have personal computers. The 5 field investigators create a heavy flow of paperwork which is not being processed as efficiently as desirable. A new system will expand and enhance their ability to furnish relevant data to the board office and to receive more current information from the office staff.

The HBLB issues and maintains an extensive database of over 21,000 licensees. Renewal months are doubly active with a huge volume of receipts, and the existing tracking system is hard pressed to keep up with board needs. Files are

currently stored in their original paper form, and it is critical that the HBLB update its record keeping. Efforts have been initiated to convert all paper documents to electronic format (PDF). The new system must be capable of integrating the electronic files with the licensee records.

The HBLB is currently unable to process licenses as efficiently and promptly as desirable, and a new processing system will render a valuable service to the licensees of the board who must comply with legal requirements.

See Attachment "A" for a complete work process and associated license applications. For copies of reporting forms used by consumers and licensees of the Board, see the HBLB's website at [www.hblb.alabama.gov](http://www.hblb.alabama.gov)

#### **4.3.2. System Overview**

The new system should use a common, industry-standard file format for storing electronic documents. Adobe Acrobat Portable Document Format (PDF) is preferred because the document viewer renders a faithful reproduction of the original, allows text searches (for text documents), and is widely available at no cost to the end user. However the ability to store doc, txt, xml, etc... is also needed. Other file formats may be considered and included if the vendor believes they will be satisfactory. Additionally, the successful vendor will provide maintenance and support for the new system, including system patching, and software updates, limited application customization on an as-needed hourly rate basis (annual, semi-annual, etc), consulting services to include performance management, tuning, etc., on an as-needed hourly rate basis. At a minimum, help desk support for the new system must be available from 8:00 a.m. through 5:00 p.m., Central Standard Time, Monday through Friday each week. A successful vendor will provide a one-time, limited system refinement to correct minor issues as determined during acceptance testing at no additional cost. End-user training will also be provided by vendor.

The current database of HBLB system will be transferred by vendor, but existing paper files are not part of this RFP.

## **SECTION V - PROPOSAL FORMAT**

All vendors should respond to the RFP, utilizing the format described in this section providing, at a minimum, the information requested for each section. **Vendor must expressly set forth in response to PART E any exception(s) it has to the RFP requirements. Any exception (s) not expressly set forth will be deemed waived.**

### **PART A: PROPOSAL AND ADMINISTRATIVE REQUIREMENTS**

1. Include all documents, information, and statements required in Sections I, II, III, and IV.
2. Acknowledge acceptance of all vendor requirements and all terms set forth throughout this RFP.

## **PART B: RESPONSE TO SPECIFICATIONS**

1. Any exceptions to the RFP requirements set forth in response to this PART B must be restated in response to PART E below.
2. All responses to requirements listed in Section IV should be presented as addressed according to the rules in item 4.2.

## **PART C: FEE PROPOSAL**

1. Vendor must provide a "Fee Proposal" to include itemized costs of all components (software development, installation, training, maintenance, etc.), as well as the total cost of all fees, costs or expenses to be charged for the services described in this RFP. The pricing information must include all items that are required to provide a complete operational system for the HBLB. The successful provider will be expected to make personnel available at provider's expense (including travel, housing and related costs) at such locations as may be designated by the state, for purposes of providing the services as outlined in this RFP. Failure to provide a complete listing of all fees, costs and expenses to be charged will result in the disqualification of the professional service provider submitting the proposal.
2. Vendor must indicate any proposed special pricing considerations that may be available to HBLB. It is understood that the HBLB shall receive the benefit of any vendor's price reductions that may occur prior to the acceptance of the system.
3. Maintenance costs should be included and represent one (1) year with option to extend for two (2) additional years. Vendor must list maximum annual increases. If no maximum annual increase is listed, the increase will be ruled to zero (0).

## **PART D: INNOVATION AND COMMENT**

1. Vendor may include any other information believed to be pertinent but is not specifically asked for in the RFP.
2. The vendor may provide suggestions of other services available from the vendor that may assist in this project.

## **PART E: EXCEPTIONS SUMMARY**

List and fully explain all exceptions taken to any term or condition of this RFP.

STATE OF ALABAMA  
HOME BUILDERS LICENSURE BOARD

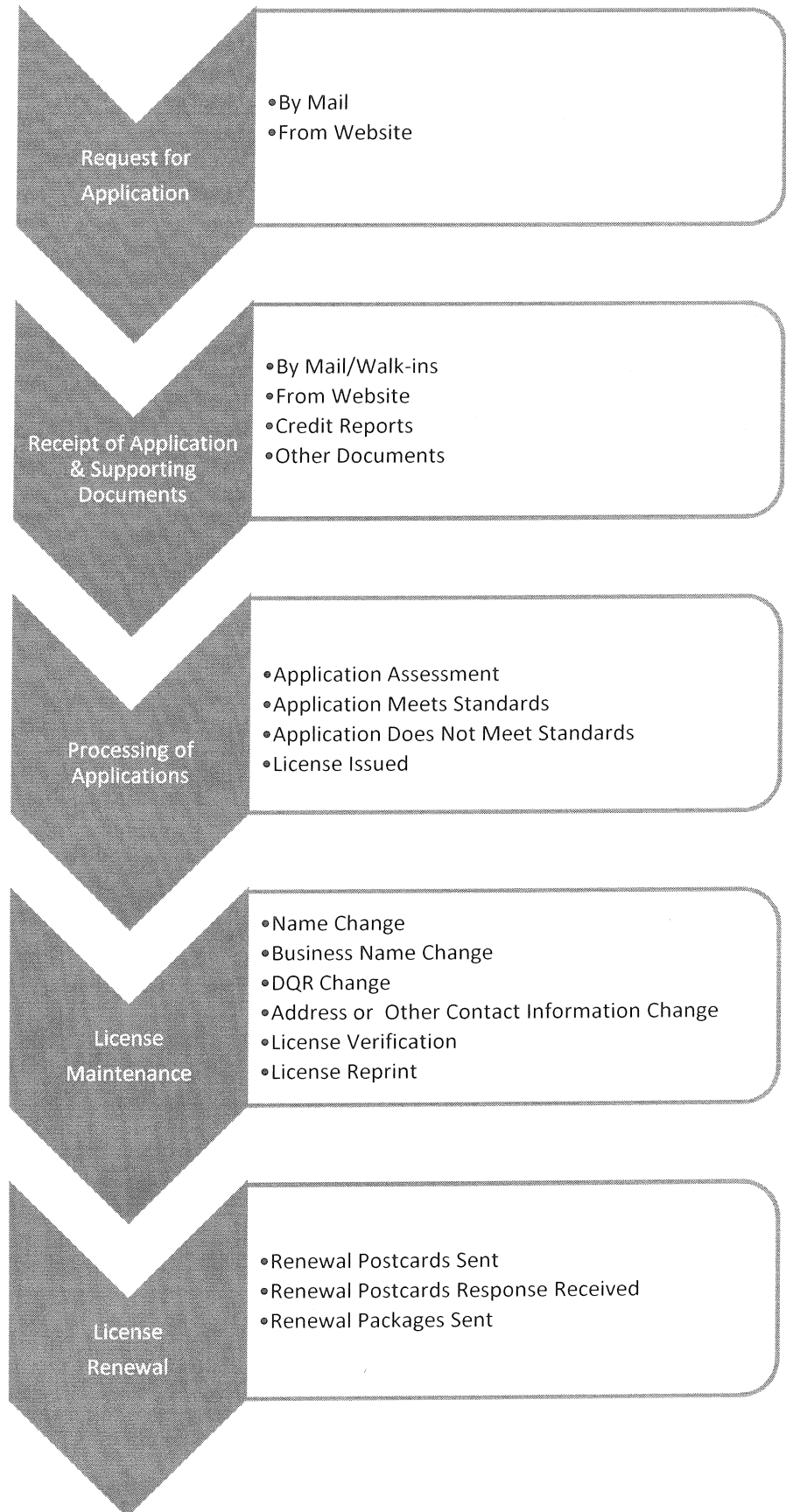
By: \_\_\_\_\_

J. R. Carden, Jr.,  
Executive Director

Date: \_\_\_\_\_

June 22, 2016

# LICENSURE



# Licensure

## License Application, Issuance and Maintenance

### New Licenses

#### *Request for New Application Packet*

##### By Mail:

1. Written Request with \$25 Application Processing Fee by check or money order is received.
  - a. Receptionist date-stamps request and forwards to ASA 2 – License Clerk
  - b. Receptionist enters check/money order into Cash Receipts database and forwards check to Accounting
2. ASA 2 – License Clerk enters information from request into Application database.
3. A cover letter is generated from the database and mailed with application packet
4. A copy of the cover letter is placed with the written request and held in a file until an application is submitted.
5. If possible, when an application is received, the request is then filed with the application in the appropriate Licensure File.

##### By Walk-in:

1. Visitor requests an application packet from Receptionist.
2. Receptionist provides packet and collects check/money order for \$25 Application Processing Fee.
3. Receptionist enters check/money order into Cash Receipts database and forwards check to Accounting.

##### From Website (Alabama Interactive):

1. Applicant completes appropriate application and downloads PDF file of completed application to be printed and mailed.
2. \$25 Application Processing Fee + \$2 Convenience Fee is assessed by Alabama Interactive and collected by credit or debit card at the time of download.

#### *Receipt of New Applications & Support Documents*

##### By Mail/Walk-ins

1. *New Active* (Individual, Corporation, Partnership and Limited Liability Company) applications are submitted only in paper format because they are required to be signed and notarized and are received by mail or walk-ins.
  - a. The application must include a \$205 Annual License Fee by check or money order.
  - b. Receptionist date-stamps application and any enclosed applicable support documents.
  - c. Receptionist completes top portion "For Office Use Only" with check number and amount.
  - d. Receptionist enters check/money order into Cash Receipts database.
  - e. Receptionist forwards application with check/money order to ASA 3 – License Clerk for processing.

2. *New Building Official* applications are submitted only in paper format because they are required to be signed and notarized and are received by mail or walk-ins. No license fee is required.
  - a. Receptionist date-stamps application and any enclosed applicable support documents.
  - b. Receptionist forwards application to ASA 3 – License Clerk for processing.
3. *New Inactive License is in essence the renewal of an existing license; therefore, the processing of these applications occurs during the renewal period. See License Renewal.*

#### From Website (Alabama Interactive)

1. *New Active* (Individual, Corporation, Partnership and Limited Liability Company) applications are completed online, downloaded to a PDF file, printed and submitted in paper format because they are required to be signed and notarized. Completed forms are then mailed or hand delivered.
  - a. The application must include a \$205 Annual License Fee by check or money order.
  - b. As mentioned above, a Convenience Fee of \$2.00 is assessed by Alabama Interactive and collected by credit or debit card at the time of download.
  - c. Receptionist date-stamps application and any enclosed applicable support documents.
  - d. Receptionist completes top portion "For Office Use Only" with check number and amount.
  - e. Receptionist enters check/money order into Cash Receipts database.
  - f. Receptionist forwards application with check/money order to ASA 3 – License Clerk for processing.
2. *New Inactive License is in essence the renewal of an existing license; therefore, the processing of these applications occurs during the renewal period. See License Renewal.*

#### Support Documents

1. *Credit Reports*
  - a. Credit reports are received manually from Holloway Credit or other agency, date stamped by the Receptionist and forwarded to the ASA 2 – License Clerk.
  - b. ASA 2 – License Clerk reviews the credit reports for problems, i.e. tax liens, and flags them accordingly.
  - c. ASA 2 – License Clerk transfers credit reports for all new applications to ASA 3 – License Clerk to match with corresponding applications.
2. Any correspondence related to the application for a license is date-stamped by the Receptionist whether received by mail or fax and forwarded to the appropriate License Clerk.

### ***Processing of New Applications***

#### Application Review

1. *New Active License* (Individual, Corporation, Partnership and Limited Liability Company)
  - a. ASA 3 – License Clerk assigns a Licensure File Number, manually enters the information from the application into the Licensure database and reviews the application for signature(s), notarization, "yes/no" answers to application questions and the submittal of support documents including:
    - 1) Credit Report
    - 2) Test Score (as applicable)
      - a) ASA 3 – License Clerk downloads test scores weekly from PSI Testing website and manually enters the information into the Testing database.



- b) When a passing score is achieved, the Testing database entry is moved to the Licensure database.
- c) Reciprocity - If application indicates that the applicant holds a license in another state that reciprocates with Alabama:
  - (1) The application must include a copy of that state's homebuilders license. The ASA 3 – License Clerk will send a License Verification Form to that state to be completed and returned
  - (2) Upon receipt and review of the License Verification Form, Licensure Division's Legal Counsel will determine if the applicant is exempt from taking the test.
- 3) Other Documents (as applicable)
  - a) Certificate of Good Standing
  - b) Certificate of Existence
  - c) Articles of Incorporation, Partnership Agreement or Articles of Organization and list of officers (if corporation).
- b. Applications that are not properly signed, notarized or have no fee attached are not entered but are returned to applicant with letter of explanation for resubmittal.
- c. ASA 3 – License Clerk writes License File Number on the original check/money order, makes a copy to attach to the application and forwards original check/money order to Accounting.
- d. If an application lacks any or all of the necessary support documents (as applicable), the ASA 3 – License Clerk manually prepares a checklist of items required and mails it to the applicant.
- e. When receipt of all support documents (as applicable) is verified, the ASA 3 - License Clerk determines that the application does or does not meet standards and processing continues accordingly.
- 2. *New Inactive License*
  - a. A new inactive license is in essence the renewal of an existing license; therefore, the processing of these applications occurs during the renewal period.
  - b. ASA 2 – License Clerk reviews the application for completeness, correct signature and notarization.
  - c. If the application is complete, the ASA 2 – License Clerk enters the application into the Licensure database for batch printing.

#### Application Assessment

##### 1. *Applications Meet Standards*

- a. License Issued - When the determination is made that the application meets all standards set by the rules and regulations the ASA 3 – License Clerk and/or ASA 2 – License Clerk:
  - 1) Changes status in licensure database to NEW;
  - 2) Prints the wallet card/cover letter and wall certificate; once printed the status automatically updates to RATIFIED in the Licensure database;
  - 3) A copy of the wallet card/cover letter and wall certificate are placed with the original application and all supporting documents.
    - a) All of these documents are scanned to a PDF format.
    - b) The hard paper copy is placed in the licensure file.
    - c) The PDF is moved to the electronic licensure file on the network server.
  - 4) The original wallet card/cover letter and certificate are mailed to the Licensee.

- b. Any application that was found to meet standards and had a license issued prior to the date of the Board Meeting is considered ratified until approved by the Board.
- c. Board Review
  - 1) A list of applications is presented by Licensure Division's Legal Counsel for a vote of approval and ratification at the next scheduled Board Meeting.
  - 2) After the Board meets and approves and ratifies the applications, the ASA 3 – License Clerk updates the status of the License File in the Licensure database from RATIFIED to ACTIVE.
- 2. *Applications DO NOT Meet Standards*
  - a. Applications that are determined not to meet standards are forwarded to the ASA 2 – Administrative Assistant along with their file for further processing.
  - b. ASA 2 – Administrative Assistant evaluates the circumstances and either proceeds with correspondence to the applicant or forwards the application with the file to the Licensure Division's Legal Counsel for review.
  - c. ASA 2 - Administrative Assistant sends written correspondence to the applicant progressively as follows:
    - 1) First Letter generated manually from templates
      - a) Signed letter is copied and scanned to PDF format.
      - b) The hard paper copy is placed in the licensure file.
      - c) The PDF is moved to the electronic licensure file on the network server.
      - d) Original letter is mailed via first class mail.
      - e) Responses to first letter tracked manually by ASA 2 – Administrative Assistant.
        - (1) Phone Calls are documented and included in the file.
        - (2) Faxes – Receptionist logs in all faxes, date-stamps each page and forwards to ASA 2 – Administrative Assistant.
        - (3) Mail – Receptionist date-stamps all pages and forwards to ASA 2 – Administrative Assistant.
        - (4) As responses are received by ASA 2 – Administrative Assistant:
          - (a) The hard paper copy is scanned to PDF format.
          - (b) The hard paper copy is placed in the licensure file.
          - (c) The PDF is moved to the electronic licensure file on the network server.
      - f) Documents for compliance received and reviewed by ASA 2 – Administrative Assistant and/or Licensure Division's Legal Counsel.
        - (1) If the documents are accepted, the Licensure Division's Legal Counsel directs the ASA 2 – Administrative Assistant to:
          - (a) Prepare the application/file for Board Review; or
          - (b) Return the application/file to ASA 3 for license to be issued.
        - (2) If the documents are not accepted, the ASA 2 – Administrative Assistant prepares and sends a second letter
      - g) No response, ASA 2 – Administrative Assistant prepares and sends a second letter.
    - 2) Second Letter generated manually from template:
      - a) Signed letter is copied and scanned to PDF format.
      - b) The hard paper copy is placed in the licensure file.
      - c) The PDF is moved to the electronic licensure file on the network server.
      - d) Original letter is sent first class mail.
      - e) Response tracked manually by ASA 2 – Administrative Assistant
        - (1) Phone Calls are documented and included in the file.

- (2) Faxes – Receptionist logs in all faxes, date-stamps each page and forwards to ASA 2 – Administrative Assistant.
  - (3) Mail – Receptionist date-stamps all pages and forwards to ASA 2 – Administrative Assistant.
  - (4) As responses as received by ASA 2 – Administrative Assistant:
    - (a) The hard paper copy is scanned to PDF format.
    - (b) The hard paper copy is placed in the licensure file.
    - (c) The PDF is moved to the electronic licensure file on the network server.
  - f) Documents for compliance received and reviewed by ASA 2 – Administrative Assistant and/or Licensure Division's Legal Counsel
    - (1) If the documents are accepted, the Licensure Division's Legal Counsel directs the ASA 2 – Administrative Assistant to:
      - (a) Prepare the application/file for Board Review; or
      - (b) Return the application/file to ASA 3 for license to be issued.
    - (2) If the documents are not accepted, the ASA 2 – Administrative Assistant prepares the application/file for Board Review
  - g) If there is no response, the ASA 2 – Administrative Assistant prepares the application/file (as-is) for Board Review.
- d. Board Review
  - 1) ASA 2 – Administrative Assistant prepares Board Review Cover Sheet generated manually from templates for each application to be reviewed. Upon completion,
    - a) Board Review Cover Sheets and attachments are scanned to PDF format. The PDF is moved to the electronic licensure file on the network server.
    - b) Copies of the Board Review Cover Sheets and attachments are made for Board Members, Executive Director and Legal Counsel.
    - c) One week prior to the scheduled Board meeting, the ASA 2 – Administrative Assistant provides the Board Members' copies, according to their district, to the Executive Secretary to be included in a packet mailed to each Board Member.
    - d) One day prior to the scheduled Board meeting, the ASA 2 – Administrative Assistant provides all files to be reviewed along with the original of the Board Review Cover Sheet and its attachments to the ASA 2 – License Clerk.
      - (1) Any changes to the Board Review Cover Sheet that may have occurred since the copies were mailed to the Board Members are included in this set of documents.
      - (2) Any new files that may have been generated since the copies were mailed to the Board Members are included in this set of documents.
      - (3) ASA 2 – License Clerk manually generates a listing by district of the files to be reviewed.
      - (4) ASA 2 – License Clerk and/or ASA 3 – License Clerk sorts files by district for each Board Member.
  - 2) At the scheduled Board Meeting, Licensure Division's Legal Counsel presents each application/file to the Board for discussion and a vote.
    - a) Approved – All applications receiving approval from the Board are returned to the ASA 3 – License Clerk for the license to be issued.
    - b) Carried Over – All applications for review that are carried over by the Board are:
      - (1) Returned to the ASA 3 – License Clerk to update their status in the licensure database to CARRIED OVER.

- (2) ASA 3 – License Clerk then returns the files to the ASA 2 – Administrative Assistant for further processing.
- (3) ASA 2 – Administrative Assistant prepares a letter manually from a template:
  - (a) Signed letter is copied and scanned to PDF format.
  - (b) The hard paper copy is placed in the licensure file.
  - (c) The PDF is moved to the electronic licensure file on the network server.
  - (d) Original letter is mailed Certified Mail/Return Receipt Requested.
  - (e) Response tracked manually by ASA 2 – Administrative Assistant
    - i. Phone calls are documented and included in the file.
    - ii. Faxes – Receptionist logs in all faxes, date-stamps each page and forwards to ASA 2 – Administrative Assistant
    - iii. Mail – Receptionist date-stamps all pages and forwards to ASA 2 – Administrative Assistant
    - iv. As responses are received by ASA 2 – Administrative Assistant:
      - The hard paper copy is scanned to PDF format.
      - The hard paper copy is placed in the licensure file.
      - The PDF is moved to the electronic licensure file on the network server
  - (f) Documents for compliance received and reviewed by ASA 2 – Administrative Assistant and Licensure Division's Legal Counsel
    - i. If the documents are accepted:
      - The application was simply "carried over", the ASA 2 – Administrative Assistant prepares the application/file for another Board Review
      - The application was "carried over and invoked"; the ASA 2 – Administrative Assistant returns the application/file to the ASA 2 – License Clerk for the license to be issued.
    - ii. If the documents are not accepted,
      - The ASA 2 – Administrative Assistant may contact the applicant by phone for clarification of the Board's requirements; and/or
      - The ASA 2 – Administrative Assistant prepares the application/file for another Board Review.
  - (g) No response, the ASA 2 – Administrative Assistant prepares the application/file (as-is) for another Board Review
  - (h) Applications/files are carried over a minimum of two times at the discretion of the Board.
- c) Denied – All applications for review that are denied by the Board are:
  - (1) Returned to the ASA 3 – License Clerk to update their status in the licensure database to DENIED
  - (2) ASA 3 – License Clerk then returns the files to the ASA 2 – Administrative Assistant for further processing.
  - (3) The ASA 2 – Administrative Assistant prepares a letter manually from a template:
    - (a) Signed letter is copied and scanned to PDF format.
    - (b) The hard paper copy is placed in the licensure file.
    - (c) The PDF is moved to the electronic licensure file on the network server.
    - (d) Original letter is mailed Certified Mail/Return Receipt Requested.

- (4) Request for Reconsideration – The above letter informs the applicant of the right to a request for reconsideration
  - (a) Request must be filed with the Board within 45 days of the date of the notice of denial.
  - (b) Request for Reconsideration must be in writing
  - (c) Request must include evidence that the Board relied on inaccurate or incomplete information or evidence of rehabilitation or elimination or cure of the grounds for denial.
  - (d) Applicant must notify the Board of their intention to appear before the Board in connection with the request for reconsideration.
  - (e) Response tracked manually by ASA 2 – Administrative Assistant
    - i. Phone calls are documented and included in the file.
    - ii. Faxes – Receptionist logs in all faxes, date-stamps each page and forwards to ASA 2 – Administrative Assistant
    - iii. Mail – Receptionist date-stamps all pages and forwards to ASA 2 – Administrative Assistant
    - iv. As responses are received by ASA 2 – Administrative Assistant:
      - The hard paper copy is scanned to PDF format.
      - The hard paper copy is placed in the licensure file.
      - The PDF is moved to the electronic licensure file on the network server

## License Renewal

### *Renewal Schedule*

#### June

1. Executive Director, Licensure Division's Legal Counsel, ASA 3 – License Clerk and ASA 2 – Accounting meet to determine dates for the renewal schedule for the upcoming year.
2. Licensure Division's Legal Counsel and ASA 3 – License Clerk review all applications and related materials and revised as necessary.

#### July

1. ASA 2 – Accounting and ASA 3 – License Clerk coordinate printing of all applications and related materials
2. ASA 2 – Accounting places orders for printing of all application and related materials (new and renewal).
3. ASA 3 – License Clerk coordinates any application revisions with Alabama Interactive for online applications.

#### August

1. Accounting prepares a complete database of Active and Inactive Licenses and sends it to the mailing service.
2. First Renewal Postcard is processed and mailed by mailing service.

#### September

1. Accounting prepares database of Active and Inactive Licenses *less first postcard responses* and sends it to mailing service.
2. Accounting prepares database of responses to first postcard and a complete database of Active Licenses and sends it to Holloway Credit.

## October

1. October 1 online renewal becomes available on website.
2. Second Renewal Postcard is processed and mailed by mailing service.
3. Paper Renewal Packets are assembled by staff and mailed.
4. Accounting updates database of responses to postcard and sends to Holloway Credit.
5. Deadline for requests for paper renewals.
6. Second Paper Renewal Packets are assembled by staff and mailed.

## November

1. First Calling Post Message from Executive Director is delivered.

## December

1. Second Calling Post Message from Executive Director is delivered.
2. Accounting mails Renewal Reminder Notice.
3. Downloaded version of renewal application becomes available on website.

## January

1. Accounting prepares database of applicants without credit reports and sends it to Holloway Credit.
2. Holloway Credit issues a reminder letter.

## February

1. Accounting prepares database of remaining renewal applicants without credit reports.
2. ASA 3 – License Clerk and/or ASA 2 – License Clerk sends letter
3. Accounting prepares database of all expired licenses.
4. ASA 3 – License Clerk and/or ASA 2 – License Clerk sends letter to all expired licensees.

## March

1. Accounting prepares database of remaining renewal applicants without credit reports.
2. ASA – 3 License Clerk sends final letter.

## April

1. A list of all remaining renewal applicants without credit reports is presented by Licensure Division's Legal Counsel to the Board and voted on to be rejected.
2. After the Board meeting, a renewal reject letter is generated and mailed.

***Receipt of Renewal Applications & Supporting Documents (as applicable)***

## By Mail/Walk-in

1. *Renewal Active* (Individual, Corporation, Partnership and Limited Liability Company Applications:
  - a. From October 1 to November 30 each application must include a \$205 Annual License Fee by check or money order.
  - b. From December 1 to December 31 an additional late fee of \$25 must be included.
  - c. After 11:59 PM of December 31, the license is considered expired. See below.
  - d. Receptionist date-stamps application and any enclosed applicable support documents.
  - e. Receptionist completes top portion "For Office Use Only" with check number and amount.
  - f. Receptionist enters check/money order into Cash Receipts database, writes License File Number on check/money order and forwards to Accounting.
  - g. Receptionist forwards application to ASA 2 – License Clerk for processing.

2. *Renewal Inactive* applications:
  - a. From October 1 to November 30 applications must include a \$100 Annual License Fee by check or money order.
  - b. From December 1 to December 31 an additional late fee of \$25 must be included.
  - c. After 11:59 PM of December 31, the license is considered expired. See below.
  - d. Receptionist date-stamps application and any enclosed applicable support documents.
  - e. Receptionist completes top portion "For Office Use Only" with check number and amount.
  - f. Receptionist enters check/money order into Cash Receipts database, writes License File Number on check/money order and forwards to Accounting.
  - g. Receptionist forwards application to ASA 2 – License Clerk for processing.
3. *Expired Active* applications:
  - a. After 11:59 PM of December 31, the license is considered expired and the application must be submitted with a check or money order for \$500 (\$205 Annual License Fee plus \$295 Late Fee).
  - b. Receptionist date-stamps application and any enclosed applicable support documents.
  - c. Receptionist completes top portion "For Office Use Only" with check number and amount.
  - d. Receptionist enters check/money order into Cash Receipts database.
  - e. Receptionist writes License File Number on check/money order and forwards with application to ASA 2 – License Clerk for processing.
4. *Expired Inactive* applications:
  - a. After 11:59 PM of December 31, the license is considered expired and the application must be submitted with a check or money order for \$125 (\$100 License Annual License Fee plus \$25 Late Fee).
  - b. Receptionist date-stamps application.
  - c. Receptionist completes the top portion "For Office Use Only" with check number and amount.
  - d. Receptionist enters check/money order into Cash Receipts database.
  - e. Receptionist writes License File Number on check/money order and forwards with application to ASA 2 – License Clerk for processing.
5. *New Inactive* applications are in essence the renewal of an existing license; therefore, the processing of these applications occurs during the renewal period:
  - a. *New Inactive* applications are submitted only in paper format because they are required to be signed and notarized and are received by mail or walk-ins.
  - b. The application must include a \$100 Annual License Fee by check or money order.
  - c. Receptionist date-stamps application and any enclosed applicable support documents.
  - d. Receptionist completes top portion "For Office Use Only" with check number and amount.
  - e. Receptionist enters check/money order into Cash Receipts database, writes License File Number on check/money order and forwards to Accounting.
  - f. Receptionist forwards application to ASA 2 – License Clerk for processing.

From Website (Alabama Interactive)

1. Applicant completes appropriate application; license and Convenience Fees are assessed by Alabama Interactive and collected by credit or debit card at the time of completion as follows:
  - a. *Renewal Active Applications* - \$209 Fee (\$205 Annual License Fee, \$4 Convenience Fee)
  - b. *Renewal Inactive applications* - \$104 Fee (\$100 Annual License Fee, \$4 Convenience Fee)

- c. *Expired Active Application* - \$511.50 Fee (\$205 Annual License Fee, \$295 Late Processing Fee, \$11.50 Convenience Fee)
  - d. *Expired Inactive Application* - \$129 Fee (\$100 Annual License Fee, \$25 Late Processing Fee, \$4 Convenience Fee)
  - e. *New Inactive* applications are only available on the website from October 1 to December 31 and must be downloaded, printed and mailed or hand-delivered. \$2 Convenience Fee is assessed by Alabama Interactive and collected by credit or debit card at the time of download.
- 2. Completed applications are downloaded each day from Alabama Interactive website by ASA 2 – License Clerk.
  - 3. ASA 2 – License Clerk verifies information and continues to process application.

#### Support Documents

- 1. *Credit Reports*
  - a. Credit reports are only required for renewal of Active and Expired Active applications
  - b. Credit reports are received manually from Holloway Credit or other agency, date stamped by the Receptionist and forwarded to the ASA 2 – License Clerk.
  - c. ASA 2 – License Clerk reviews the credit reports for problems, i.e. tax liens, and flags them accordingly.
  - d. ASA 2 – License Clerk transfers credit reports for all new applications to ASA 3 – License Clerk to match with corresponding applications.
- 2. *Any correspondence* related to the application for a license is date-stamped by the Receptionist whether received by mail or fax and forwarded to the appropriate License Clerk.

### ***Processing of Renewal and Expired Applications***

#### Renewal Application Review

- 1. *Renewal Active License*
  - a. ASA 2 – License Clerk reviews the application for signature(s), “yes/no” answers to application questions and matches application to credit report.
  - b. Applications that are not properly signed or have no fee attached are forwarded to the ASA 3 – License Clerk to be returned to applicant with letter of explanation for resubmittal.
  - c. When the ASA 2 - License Clerk has verified that the renewal application is complete, it is forwarded to the ASA 3 – License Clerk and Licensure Division’s Legal Counsel to determines that the application meets standards or does not meet standards and processing continues accordingly.
- 2. *Renewal Inactive License*
  - a. ASA 2 – License Clerk reviews the application for completeness and appropriate signature(s).
  - b. Applications that are not properly signed are forwarded to the ASA 3 – License Clerk to be returned to applicant with letter of explanation for resubmittal.
  - c. If the application is complete, the ASA 2 – License Clerk enters the application into the Licensure database for batch printing.
- 3. *Expired License*
  - a. ASA 2 – License Clerk writes license number on check, makes a copy to attach to the application and forwards original check/money order to Accounting.



- b. ASA 2 – License Clerk reviews the application for “yes/no” answers to application questions and appropriate signatures and matches application to credit report.
  - c. Applications that are not properly signed or have no fee attached are forwarded to the ASA 3 – License Clerk to be returned to applicant with letter of explanation for resubmittal.
  - d. When receipt of all support documents (as applicable) is verified, the ASA 2 - License Clerk determines that the application does or does not meet standards and processing continues accordingly.
4. *Expired Inactive License*
- a. ASA 2 – License Clerk reviews the application for completeness, correct signature and notarization.
  - b. If the application is complete, the ASA 2 – License Clerk enters the application into the Licensure database.

#### Renewal Application Assessment

1. *Renewal Applications Meet Standards*
  - a. License Issued - When the determination is made that the application meets all standards set by the rules and regulations the ASA 2 – License Clerk:
    - 1) Changes status in licensure database to RENEWAL;
    - 2) ASA 3 – License Clerk prints the wallet card and certificate; once printed the status automatically updates to RENEWAL in the Licensure database; and
    - 3) The wallet card and certificate is mailed to the Licensee.
  - b. Any application that was found to meet standards and had a license issued prior to the date of the Board Meeting is considered ratified until approved by the Board.
  - c. Board Review
    - 1) A list of these applications is presented by Licensure Division’s Legal Counsel for a vote of approval and ratification at the next scheduled Board Meeting.
    - 2) Once the Board approves and ratifies the applications, the ASA 3 – License Clerk updates the status of the License File in the Licensure database from RENEWAL to ACTIVE.
2. *Renewal Applications DO NOT Meet Standards* – See Applications DO NOT MEET Standards, Page 4.

### License Maintenance

#### *Name change*

1. Licensees are responsible for notifying the Board of any name change to them individually, a licensed business or a designated qualifying representative.
2. Name change forms are available on the website or if the Board is notified of a name change, the ASA 3 – License Clerk mails the appropriate form to be completed, signed, notarized and returned with any official documentation of the name change.
3. Official documentation required for each type of name change is as follows:
  - a. Individual Name Change – Marriage Certificate, Divorce Decree or Legal Name Change document
  - b. Business Name Change – Amended Articles of Incorporation, Amended Articles of Organization or Amended Partnership Agreement
  - c. Designated Qualifying Representative Name Change – Marriage Certificate, Divorce Decree or Legal Name Change document

4. The Licensee must also return the current original wallet card and certificate to be voided.
5. When the completed form is returned, the Receptionist date-stamps the form and any attachments and forwards it to the ASA 3 – License Clerk.
6. ASA 3 – License Clerk verifies the form is complete, the signatures are correct and notarized and applicable supporting documents are included.
7. When verified, the ASA 3 – License Clerk updates the Licensure database
8. Completed form and attachments along with the Licensure File are transferred to Licensure Division's Legal Counsel for review and approval.
9. Upon approval, ASA 3 – License Clerk:
  - 1) Prints the updated wallet card/cover letter and wall certificate;
  - 2) Updates the history page of the database;
  - 3) Copies the wallet card/cover letter and wall certificate to be placed with the name change form and all supporting documents.
    - a) All of these documents are scanned to a PDF format.
    - b) The hard paper copy is placed in the licensure file.
    - c) The PDF is moved to the electronic licensure file on the network server.
  - 4) The replacement wallet card/cover letter and certificate are mailed to the Licensee.
10. ASA 3 – License Clerk voids wallet card and certificate with old name, or copies thereof, and places voided copies in the Licensure File and copies in the Voided Certificates Log kept by the ASA 3 – License Clerk .

#### ***Address or other contact information change***

1. Licensees are responsible for notifying the Board in writing of any change of address, telephone number, fax number or any other contact information.
2. Change of Address Forms are available on the website or when notification is received by mail or fax, the Receptionist date-stamps the information and forwards it to the ASA 2 – License Clerk.
3. ASA 2 – License Clerk:
  - a. Updates the Licensure database. (There is no log of this change.)
  - b. Dates, notes action taken and initials notification;
  - c. Scans to PDF format;
  - d. Places hard paper copy in licensure file;
  - e. Moves PDF to the electronic licensure file on the network server.

#### ***License verification***

1. Alabama reciprocates with other states for the privilege of holding a license without testing.
2. ASA 2 – License Clerk completes any verification form received from another state.
3. ASA 3 – License Clerk reviews the form prior to Executive Director signature.
4. Once reviewed and signed, the ASA 2 – License Clerk
  - a. Initials and notes date action taken;
  - b. Faxes a copy to the appropriate state;
  - c. Scans the completed form to PDF format;
  - d. Mails the original to the appropriate state;
  - e. Places hard paper copy in licensure file;
  - f. Moves PDF to electronic licensure file.

#### ***License reprint***

1. Licensees are responsible for notifying the Board when a renewed license is not received or when a current license is lost, stolen or defaced.

2. The appropriate affidavit forms are available on the website or when the Board is notified, the ASA 2 – License Clerk sends the appropriate affidavit to the licensee to be completed, signed, and notarized.
3. When a wallet card has been lost, stolen or defaced, the original license certificate is returned with the affidavit.
4. When received, the Receptionist date-stamps the form and any attachments and forwards it to the ASA 2 – License Clerk.
5. ASA 2 – License Clerk verifies the form is complete, the signatures are correct and notarized and applicable supporting documents are included.
6. When verified, the ASA 2 – License Clerk:
  - a. Updates the Licensure database and history page;
  - b. Prints the replacement wallet card/cover letter and wall certificate;
  - c. Copies the wallet card/cover letter and wall certificate to be placed with the affidavit and all supporting documents.
    - 1) All of these documents are scanned to a PDF format.
    - 2) The hard paper copy is placed in the licensure file.
    - 3) The PDF is moved to the electronic licensure file on the network server.
  - d. The replacement wallet card/cover letter and certificate are mailed to the Licensee.
7. ASA 2 – License Clerk voids a copy of the wallet card and certificate and places copies in the Licensure File and a copies in the Voided Certificates Log kept by the ASA 3 – License Clerk.

***Designated Qualifying Representative (DQR) Change***

1. Licensees are responsible for notifying the Board of any change in their designated qualifying representative.
2. DQR Change Form is available on the website or when the Board is notified, the ASA 3 – License Clerk sends a Designated Qualifying Representative Change Form to be completed, signed, notarized and returned with:
  - a. Amended Articles of Incorporation, Amended Articles of Organization or Amended Partnership Agreement (as applicable)
  - b. Current original license card and certificate
3. When received, the Receptionist date-stamps the form and any attachments and forwards it to the ASA 3 – License Clerk.
4. ASA 3 – License Clerk verifies the form is complete, the signatures are correct and notarized and applicable supporting documents are included.
5. When verified, the ASA 3 – License Clerk updates the Licensure database.
6. Completed form and attachments along with the Licensure File are transferred to Licensure Division's Legal Counsel for review and approval.
7. Upon approval, ASA 3 – License Clerk:
  - a. Updates the Licensure database and history page;
  - b. Prints the replacement wallet card/cover letter and wall certificate;
  - c. Copies the wallet card/cover letter and wall certificate to be placed with the change form and all supporting documents.
    - 1) All of these documents are scanned to a PDF format.
    - 2) The hard paper copy is placed in the licensure file.
    - 3) The PDF is moved to the electronic licensure file on the network server.
  - d. The replacement wallet card/cover letter and certificate are mailed to the Licensee.
8. ASA 3 – License Clerk voids wallet card and certificate with old name, places copies in the Licensure File and copies in the Voided Certificates Log kept by the ASA 3 – License Clerk .

9. Licensure Division's Legal Counsel presents a listing of all DQR changes to the Board at the next scheduled Board meeting for ratification.



## Instructions to NEW LICENSE Application

445 Herron Street / Montgomery, Alabama 36130-3605 / Telephone (334) 242-2230 / Facsimile (334) 263-1397

### LICENSE REQUIREMENTS – Who Must Be Licensed?

#### ACCORDING TO ALA. CODE § 34-14A-2:

“One who constructs a residence or structure for sale or who, for a fixed price, commission, fee, or wage, undertakes or offers to undertake the construction or superintending of the construction, or who manages, supervises, assists, or provides consultation to the homeowner regarding the construction or superintending of the construction, of any residence or structure which is not over three floors in height and which does not have more than four units in an apartment complex, or the repair, improvement, or reimprovement thereof, to be used by another as a residence when the cost of the undertaking exceeds ten thousand dollars (\$10,000.00). Nothing herein shall prevent any person from performing these acts on his or her own residence or on his or her other real estate holdings. Anyone who engages or offers to engage in such undertaking in this state shall be deemed to have engaged in the business of residential home building.”

Licenses will be issued only to individuals, partnerships, corporations, limited liability companies, and non-profit organizations. The extent to which a residential home builder may engage in the residential home building business depends upon the type of license held.

### INSTRUCTIONS

#### 1. APPLICATION

All applicants must file an accurate, complete and notarized application for license with the Board.

#### 2. BUSINESS-RELATED FINANCIAL REQUIREMENTS

All applicants must order a business-related credit report, including a public records search, to be submitted directly to the Board by a credit reporting agency. An applicant whose application is pending for more than 90 days may be required to file an updated credit report. An order form is enclosed for your convenience.

#### 3. ANNUAL FEES

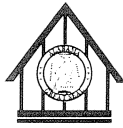
The annual license fee is \$205.00. Please make checks payable to the Home Builders Licensure Board. The Board accepts personal or company checks or money orders. The Board does not accept cash payments. **All fees must be paid before the application is processed.** Upon written request, fees will be refunded in the event an application is rejected or denied.

#### 4. WRITTEN EXAMINATION

All applicants will be required to pass a written examination testing experience and ability prior to licensure. Testing information is enclosed. Additional information regarding the written examination is available on the Board's website: [www.hblb.alabama.gov](http://www.hblb.alabama.gov). All testing fees will be paid directly to the testing agency.

### APPLICATION CHECKLIST

- ☐ Application Completed, Signed and Notarized  
(Corporation, partnership and limited liability company applications must have signatures notarized in both Sections 5 and 6.)
- ☐ Fee of \$205.00 made payable to Home Builders Licensure Board enclosed
- ☐ Ordered Business-Related Credit Report
- ☐ Attach Certificate of Good Standing from the Alabama Department of Revenue if a corporation, limited liability company, or limited partnership.
- ☐ Attach Certificate of Existence from the Alabama Secretary of State if a foreign (out-of-state) corporation, limited liability company, or limited partnership.
- ☐ Attach a copy of the Articles of Incorporation, Partnership Agreement, or Articles of Organization, WHICH HAVE BEEN FILED WITH THE PROBATE JUDGE, if a corporation, limited liability company, or limited partnership. Additionally, if applying as a corporation, attach a separate listing of officers, i.e., copy of signed minutes, amendment to articles, or other signed document reflecting the current officers.



**HOME BUILDERS  
LICENSURE BOARD**

www.hblb.alabama.gov

445 Herron Street / Montgomery, Alabama 36130-3605 / Telephone (334) 242-2230 / Facsimile (334) 263-1397

## Application for NEW LICENSE (INDIVIDUALS)

### OFFICE USE ONLY

(Date Stamp)

Check No. \_\_\_\_\_

Amount Paid \_\_\_\_\_

**INSTRUCTIONS:** Please type or print in ink all information. Do not send copies or facsimile transmissions. **ALL QUESTIONS MUST BE ANSWERED COMPLETELY.** Use additional sheets if necessary. **Make check or money order for \$205.00 payable to the Home Builders Licensure Board. All fees must be paid before your application will be processed.**

**NOTICE:** Submitting false information for the purpose of obtaining a license is a criminal offense and grounds for license denial. Holding an individual license does not allow you to engage in residential construction through an unlicensed corporation, partnership, or limited liability company.

### SECTION 1:

Full Name \_\_\_\_\_ Social Security Number \_\_\_\_\_  
(Disclosure mandatory under the Alabama Child Support Reform Act of 1997, Act 97-447, Ala. Code § 30-3-194 (1997 Cum. Supp.) to be used for the purposes described therein.)

List any and all business names/trade names you plan to use to perform residential construction or remodeling:

\_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Business Phone ( ) \_\_\_\_\_ Cellular Phone ( ) \_\_\_\_\_

Fax ( ) \_\_\_\_\_ E-mail Address \_\_\_\_\_

### SECTION 2:

**IF YOU ANSWER "YES" TO ANY OF THE FOLLOWING QUESTIONS, YOU MUST PROVIDE THE REQUESTED DOCUMENTATION AND A FULL EXPLANATION ON A SEPARATE SHEET OF PAPER.**

☐ Yes ☐ No 1. Within the past 7 years, have you pled guilty or nolo contendere, or been convicted of a felony?

☐ Yes ☐ No 2. Within the past 7 years, were you or any company of which you were either a partner, officer, or member declared or placed in bankruptcy?

If YES, indicate in the full explanation whether the bankruptcy was filed under Chapter 7, 11 or 13 of the U.S. Bankruptcy Code.

If the bankruptcy was filed under Chapter 13, provide a schedule of creditors, a payment plan and a history of payments. If the bankruptcy was filed under Chapter 7, provide a schedule of creditors.

If the bankruptcy has been discharged, provide a copy of the discharge order.

☐ Yes ☐ No 3. Within the past 7 years, did you or any company of which you were either a partner, officer, or member have any professional or business license revoked or suspended?

☐ Yes ☐ No 4. Do you, or any entity of which you are the Designated Qualifying Representative, have any pending disciplinary actions before this Board?

If yes, provide the name of the homeowner involved: \_\_\_\_\_

(Continued on back)

Revised 8/08

My Commission Expires: \_\_\_\_\_



## Application for NEW LICENSE

(CORPORATIONS, PARTNERSHIPS & LIMITED LIABILITY COMPANIES)

445 Herron Street / Montgomery, Alabama 36130-3605 / Telephone (334) 242-2230 / Facsimile (334) 263-1397

(Date Stamp)

**OFFICE USE ONLY**

Check No. \_\_\_\_\_

Amount Paid \_\_\_\_\_

**INSTRUCTIONS:** Please type or print in ink all information. Do not send copies or facsimile transmissions. **ALL QUESTIONS IN EVERY SECTION MUST BE ANSWERED COMPLETELY.** Use additional sheets if necessary. Make check or money order for \$205.00 payable to the Home Builders Licensure Board. All fees must be paid before the application will be processed.

**NOTICE:** Submitting false information for the purpose of obtaining a license is a criminal offense and grounds for license denial. A corporation, partnership, or limited liability company license allows you to engage in residential construction only in the name of the company granted the license. A corporation, partnership, or limited liability company license allows one person to serve as a qualifying representative. Other partners, officers, or members should apply for an individual license.

**SECTION 1:**

Please designate appropriate business form: ☐ Corporation ☐ Partnership ☐ Limited Partnership ☐ LLC

▶ A copy of the articles of incorporation, partnership agreement or articles of organization must be attached. If applying as a corporation, please attach a separate listing of officers, i.e. copy of signed minutes, amendment to articles or other signed document.

Business Name \_\_\_\_\_

List any and all business names/trade names you plan to use to perform residential construction or remodeling:

\_\_\_\_\_

Federal Tax Employer ID Number \_\_\_\_\_ State Tax ID Number \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Business Phone ( ) \_\_\_\_\_ Cellular Phone ( ) \_\_\_\_\_

Fax ( ) \_\_\_\_\_ E-mail Address \_\_\_\_\_

If the applicant is a limited partnership or LLC, when and where was the agreement filed?

Date \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_

If the applicant is a corporation, when and where was it incorporated?

Date \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_

Where is the principal office of the business?

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

☐ Yes ☐ No If the applicant is a corporation, limited partnership or LLC, is it in good standing with the Alabama Department of Revenue?

If yes provide a copy of the Certificate of Good Standing issued by the Alabama Department of Revenue.

☐ Yes ☐ No If the applicant is a foreign (out-of-state) corporation, limited partnership or LLC, has it received the Certificate of Authority issued by the Secretary of State's office to transact business in Alabama?

If yes provide a copy of the Certificate of Authority issued by the Secretary of State of Alabama.

(Continued on page 2)

Revised 8/08



**SECTION 2: DESIGNATED QUALIFYING REPRESENTATIVE**

You must provide the following information for the general partner, officer, or member who will serve as the qualifying representative.

Name \_\_\_\_\_ Social Security# \_\_\_\_\_ Title \_\_\_\_\_

(Disclosure mandatory under the Alabama Child Support Reform Act of 1997, Act 97-447, Ala. Code § 30-3-194 (1997 Cum. Supp.) to be used for the purposes described therein.)

Address \_\_\_\_\_ Years with Firm \_\_\_\_\_

Does the qualifying representative currently hold an individual home builders license or serve as a qualifying representative of a corporation, partnership, or limited liability company licensed by this agency? ..... ☐ Yes ☐ No

If Yes, list name \_\_\_\_\_ and file number \_\_\_\_\_

You must provide the following information for other partners, officers or members.

Name \_\_\_\_\_ Social Security# \_\_\_\_\_ Title \_\_\_\_\_  
(Disclosure Voluntary\*)

Address \_\_\_\_\_ Years with Firm \_\_\_\_\_

Name \_\_\_\_\_ Social Security# \_\_\_\_\_ Title \_\_\_\_\_  
(Disclosure Voluntary\*)

Address \_\_\_\_\_ Years with Firm \_\_\_\_\_

Name \_\_\_\_\_ Social Security# \_\_\_\_\_ Title \_\_\_\_\_  
(Disclosure Voluntary\*)

Address \_\_\_\_\_ Years with Firm \_\_\_\_\_

**SECTION 3:**

IF YOU ANSWER "YES" TO ANY OF THE FOLLOWING QUESTIONS, YOU MUST PROVIDE THE REQUESTED DOCUMENTATION AND A FULL EXPLANATION ON A SEPARATE SHEET OF PAPER.

☐ Yes ☐ No 1. Within the past 7 years, has any partner, officer, or member of this company pled guilty or nolo contendere, or been convicted of a felony?

☐ Yes ☐ No 2. Within the past 7 years, was this company, or any partner, officer, or member, or any entity of which this company is a successor, declared or placed in bankruptcy?

If YES, indicate in the full explanation whether the bankruptcy was filed under Chapter 7, 11 or 13 of the U.S. Bankruptcy Code.

If the bankruptcy was filed under Chapter 13, provide a schedule of creditors, a payment plan and a history of payments. If the bankruptcy was filed under Chapter 7, provide a schedule of creditors.

If the bankruptcy has been discharged, provide a copy of the discharge order.

☐ Yes ☐ No 3. Within the past 7 years, did this company, or any partner, officer, or member, or any entity of which this company is a successor, have any professional or business license revoked or suspended?

☐ Yes ☐ No 4. Does the applicant, or the applicant's designated qualifying representative, either individually or as the designated qualifying representative of any other entity, have any pending disciplinary actions before this Board?

If yes, provide the name of the homeowner involved: \_\_\_\_\_

☐ Yes ☐ No 5. Within the past 7 years, has this company, or any partner, officer, or member, or any entity of which this company is a successor, made application for a residential home builder's license or similar license to this Board or any other governmental agency prior to this application?

If license was granted, attach a copy to this application.

If the license was denied, provide a full explanation as an attachment to this application.

☐ Yes ☐ No 6. Are there any liens for labor or materials filed on any of the homes constructed by this company, or any partner, officer, or member, or any entity of which this company is a successor?

☐ Yes ☐ No 7. Within the past 7 years, has this company, or any partner, officer, or member of this company, been identified by this Board as an unlicensed builder?

**SECTION 4: BUSINESS-RELATED FINANCIAL INFORMATION**

A credit report on the entity, including a public records search, must be submitted directly to the Board from a credit reporting agency. Any entity whose application is pending for more than 90 days may be required to file an updated credit report.

\* Disclosure of Social Security Number for the purpose of obtaining business-related financial and credit information and public records search is voluntary. Disclosure requested under Ala. Code § 34-14A-7(a)(4).

**NOTICE: BOTH SECTIONS 5 AND 6 MUST BE SIGNED AND NOTARIZED.**

### SECTION 5: OATH AND RELEASE FOR DESIGNATED QUALIFYING REPRESENTATIVE (DQR)

I solemnly swear or affirm that I am the person referred to in this application; that the information provided and the statements made herein and on the attachments hereto are accurate, complete, and true to the best of my knowledge; and further, that if the Home Builders Licensure Board recognizes me as a qualifying representative, I shall abide by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom the applicant has been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

\_\_\_\_\_  
Printed Name of Designated Qualifying Representative [DQR] (Must be a General Partner, Officer or Member)

\_\_\_\_\_  
Signature of Designated Qualifying Representative [DQR] (Must be a General Partner, Officer or Member)

Its: \_\_\_\_\_

Position Held

County of \_\_\_\_\_ )

State of \_\_\_\_\_ )

Signed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
(Month) (Year)

Signature – Notary Public \_\_\_\_\_ (Notarial Seal)

My Commission Expires: \_\_\_\_\_

### SECTION 6: OATH AND RELEASE FOR CORPORATIONS, PARTNERSHIPS, OR LIMITED LIABILITY COMPANIES

I solemnly swear or affirm that I am authorized to execute this application on behalf of the applicant; that I have actual knowledge of the statements made herein and on the attachments hereto and that such statements are accurate, complete, and true to the best of my knowledge; and further, that if the applicant is granted a license by the Home Builders Licensure Board, I shall use my best efforts to ensure that the applicant abides by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom the applicant has been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

\_\_\_\_\_  
Printed Name of Authorized General Partner, Officer, or Member

\_\_\_\_\_  
Signature of Authorized General Partner, Officer, or Member

Its: \_\_\_\_\_

Position Held

County of \_\_\_\_\_ )

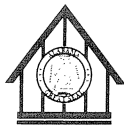
State of \_\_\_\_\_ )

Signed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
(Month) (Year)

Signature – Notary Public \_\_\_\_\_ (Notarial Seal)

My Commission Expires: \_\_\_\_\_

**NOTICE: BOTH SECTIONS 5 AND 6 MUST BE SIGNED AND NOTARIZED.**



HOME BUILDERS  
LICENSURE BOARD

www.hblb.alabama.gov

## Application for 2010 RENEWAL LICENSE

(INDIVIDUALS)

445 Herron Street / Montgomery, Alabama 36130-3605 / Telephone (334) 242-2230 / Facsimile (334) 263-1397

### OFFICE USE ONLY

(Date Stamp)

License Fee \$ \_\_\_\_\_

Late Fee \$ \_\_\_\_\_

Total \$ \_\_\_\_\_

Check No. \_\_\_\_\_

Review the information in the box below. If the information is incorrect,  
please provide the correct information in the space below.

**IF YOU ARE CONDUCTING BUSINESS AS A CORPORATION, PARTNERSHIP, OR L.L.C.,  
DO NOT COMPLETE THIS FORM. YOU MUST CONTACT THE LICENSURE DIVISION  
FOR THE APPROPRIATE FORMS.**

List any and all business names/trade names you plan to use to perform residential construction or remodeling:

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Business Phone ( ) \_\_\_\_\_ Cellular Phone ( ) \_\_\_\_\_

Fax ( ) \_\_\_\_\_ E-mail Address \_\_\_\_\_

**INSTRUCTIONS:** Please type or print in ink all information. Facsimile transmissions will not be accepted. All questions on the front and back of this application must be answered completely. Use additional sheets if necessary. The Annual License Fee is \$205. **The deadline for renewal applications is November 30, 2009.** A \$25.00 late fee must accompany any renewal application postmarked\* on or after December 1, 2009. **Your 2009 license expires December 31, 2009.**

**NOTICE:** Submitting false information for the purpose of obtaining a license is a criminal offense and grounds for license denial. A corporation, partnership or limited liability company license allows you to engage in residential construction only in the name of the company granted the license.

*\*The term "postmarked" means postmarked by the U.S. Postal Service, not metered.*

(Continued on Back.)

Revised 8/09

## SECTION 1:

IF YOU ANSWER "YES" TO ANY OF THE FOLLOWING QUESTIONS, YOU MUST PROVIDE THE REQUESTED DOCUMENTATION AND A FULL EXPLANATION ON A SEPARATE SHEET OF PAPER.

Your application **will not** be processed until all required documentation has been received.

- ☐ Yes ☐ No 1. During the past year, have you pled guilty or nolo contendere, or been convicted of a felony?
- ☐ Yes ☐ No 2. During the past year, were you or any company of which you were either a partner, officer, or member declared or placed in bankruptcy?
- If YES, indicate in the full explanation whether the bankruptcy was filed under Chapter 7, 11 or 13 of the U.S. Bankruptcy Code.
- If the bankruptcy was filed under Chapter 13, provide a schedule of creditors, a payment plan and a history of payments. If the bankruptcy was filed under Chapter 7, provide a schedule of creditors.
- If the bankruptcy has been discharged, provide a copy of the discharge order.
- ☐ Yes ☐ No 3. During the past year, did you or any company of which you were either a partner, officer, or member have any professional or business license revoked or suspended?
- ☐ Yes ☐ No 4. During the past year, have you or any company of which you are either a partner, officer, or member made application for a residential home builder's license or similar license to this Board or any other governmental agency prior to this application?
- If a license other than a homebuilders license was granted, attach a copy to this application.
- If the license was denied, provide a full explanation as an attachment to this application.
- ☐ Yes ☐ No 5. Are there any liens for labor or materials filed on any of your work or the work of any firm of which you are a partner, officer, or member?

## SECTION 2: BUSINESS-RELATED FINANCIAL INFORMATION

A credit report must be provided directly to the Board's offices by a credit reporting agency. Disclosure of Social Security Number for the purpose of obtaining business-related financial and credit information and public records search is voluntary. Disclosure requested under Ala. Code § 34-14A-7(a)(4).

## SECTION 3: OATH AND RELEASE FOR INDIVIDUALS

I solemnly swear or affirm that I am the person referred to in this application; that the statements made herein and on the attachments hereto are accurate, complete, and true to the best of my knowledge; that the statements made on all applications continue to be accurate, complete, and true to the best of my knowledge, except as otherwise reported on this renewal application; and further, that if granted a license renewal by the Home Builders Licensure Board, I shall abide by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom I have been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

---

Printed Name of Individual Applicant

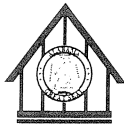
---

Signature of Individual Applicant

Social Security Number of Individual Applicant

Provide Last 4 Digits: XXX - XX - \_\_\_\_\_

(Disclosure mandatory under the Alabama Child Support Reform Act of 1997, Act 97-447, Ala. Code § 30-3-1994 (1997 Cum. Supp.) to be used for the purposes described therein.)



**HOME BUILDERS  
LICENSURE BOARD**

www.hblb.alabama.gov

445 Herron Street / Montgomery, Alabama 36130-3605 / Telephone (334) 242-2230 / Facsimile (334) 263-1397

## Application for 2010 RENEWAL LICENSE

(CORPORATIONS, PARTNERSHIPS & LIMITED LIABILITY COMPANIES)

### OFFICE USE ONLY

(Date Stamp)

License Fee \$ \_\_\_\_\_

Late Fee \$ \_\_\_\_\_

Total \$ \_\_\_\_\_

Check No. \_\_\_\_\_

Review the information in the box below. If the information is incorrect,  
please provide the correct information in the space below.

**IF THE FORM OF YOUR BUSINESS HAS CHANGED OR IF THE QUALIFYING  
REPRESENTATIVE HAS CHANGED, DO NOT COMPLETE THIS FORM.  
YOU MUST CONTACT THE LICENSURE DIVISION FOR THE APPROPRIATE FORM.**

List any and all business names/trade names you plan to use to perform residential construction or remodeling:

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Business Phone ( ) \_\_\_\_\_ Cellular Phone ( ) \_\_\_\_\_

Fax ( ) \_\_\_\_\_ E-mail Address \_\_\_\_\_

**INSTRUCTIONS:** Please type or print in ink all information. Facsimile transmissions will not be accepted. All questions on the front and back of this application must be answered completely. Use additional sheets if necessary. The Annual License Fee is \$205. **The deadline for renewal applications is November 30, 2009.** A \$25.00 late fee must accompany any renewal application postmarked\* on or after December 1, 2009. **Your 2009 license expires December 31, 2009.**

**NOTICE:** Submitting false information for the purpose of obtaining a license is a criminal offense and grounds for license denial. A corporation, partnership or limited liability company license allows you to engage in residential construction only in the name of the company granted the license. A corporation, partnership or limited liability company license allows one person to serve as a qualifying representative. Other partners, officers or members should apply for an individual license.

**\*The term "postmarked" means postmarked by the U.S. Postal Service, not metered.**

(Continued on page 2)

Revised 8/09

**SECTION 1:**

**IF YOU ANSWER "YES" TO ANY OF THE FOLLOWING QUESTIONS, YOU MUST PROVIDE THE REQUESTED DOCUMENTATION AND A FULL EXPLANATION ON A SEPARATE SHEET OF PAPER.**

Your application **will not** be processed until all required documentation has been received.

- ☐ Yes ☐ No 1. During the past year, has any partner, officer, or member of this company pled guilty or nolo contendere, or been convicted of a felony?
- ☐ Yes ☐ No 2. During the past year, was this company or any partner, officer, or member, or any entity of which this company is a successor, declared or placed in bankruptcy?
- If YES, indicate in the full explanation whether the bankruptcy was filed under Chapter 7, 11 or 13 of the U.S. Bankruptcy Code.
- If the bankruptcy was filed under Chapter 13, provide a schedule of creditors, a payment plan and a history of payments. If the bankruptcy was filed under Chapter 7, provide a schedule of creditors.
- If the bankruptcy has been discharged, provide a copy of the discharge order.
- ☐ Yes ☐ No 3. During the past year, did this company, or any partner, officer, or member, or any entity of which this company is a successor, have any professional or business license revoked or suspended?
- ☐ Yes ☐ No 4. During the past year, has this company, or any partner, officer, or member, or any entity of which this company is a successor, made application for a residential home builder's license or similar license to this Board or any other governmental agency prior to this application?
- If a license other than a homebuilders license was granted, attach a copy to this application.
- If the license was denied, provide a full explanation as an attachment to this application.
- ☐ Yes ☐ No 5. During the past year, were there any liens for labor or materials filed on any of the homes constructed by this company, or any partner, officer, or member, or any entity of which this company is a successor?
- ☐ Yes ☐ No 6. During the past year, have any of the partners, officers, or members of this company changed?
- If yes, provide a list of the names, titles and addresses of all current partners, officers or members of this company.

**SECTION 2: BUSINESS-RELATED FINANCIAL INFORMATION**

A credit report must be provided directly to the Board's offices by a credit reporting agency. Disclosure of Social Security Number for the purpose of obtaining business-related financial and credit information and public records search is voluntary. Disclosure requested under Ala. Code § 34-14A-7(a)(4).

• • • • • **REQUIRED** • • • • •  
**BOTH SECTIONS 3 AND 4 MUST BE SIGNED.**

**SECTION 3: OATH AND RELEASE FOR DESIGNATED  
QUALIFYING REPRESENTATIVE (DQR)**

I solemnly swear or affirm that I am the person referred to in this application; that the information provided and statements made herein and on the attachments hereto are accurate, complete, and true to the best of my knowledge; that the information provided and statements made on all applications for the applicant named herein and for which I have been the qualifying representative continue to be accurate, complete, and true to the best of my knowledge, except as otherwise reported on this renewal application; and further, that if the Home Builders Licensure Board recognizes me as a qualifying representative, I shall abide by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom the applicant has been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

\_\_\_\_\_  
Printed Name of Designated Qualifying Representative (DQR)  
(Must be a General Partner, Officer or Member)

\_\_\_\_\_  
Signature of Designated Qualifying Representative (DQR)  
(Must be a General Partner, Officer or Member)

\_\_\_\_\_  
Social Security Number of Designated Qualifying Representative (DQR)

Provide Last 4 Digits: XXX - XX - \_\_\_\_\_  
(Disclosure mandatory under the Alabama Child Support Reform Act of 1997, Act 97-447,  
Ala. Code § 30-3-1994 (1997 Cum. Supp.) to be used for the purposes described therein.)

Its: \_\_\_\_\_  
( Position Held)

**SECTION 4: OATH AND RELEASE FOR CORPORATIONS, PARTNERSHIPS, OR  
LIMITED LIABILITY COMPANIES (L.L.C.)**

I solemnly swear or affirm that I am authorized to execute this application on behalf of the applicant; that I have actual knowledge of the statements made herein and on the attachments hereto and that such statements are accurate, complete, and true to the best of my knowledge; that the statements made on all applications continue to be accurate, complete, and true to the best of my knowledge, except as otherwise reported on this renewal application; and further, that if the applicant is granted a license renewal by the Home Builders Licensure Board, I shall use my best efforts to ensure that the applicant abides by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom the applicant has been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

By: \_\_\_\_\_  
Printed Name of Authorized General Partner, Officer, or Member

By: \_\_\_\_\_  
Signature of Authorized General Partner, Officer, or Member

Its: \_\_\_\_\_  
Position Held

**BOTH SECTIONS 3 AND 4 MUST BE SIGNED.**



HOME BUILDERS  
LICENSURE BOARD

www.hblb.alabama.gov

445 Herron Street / Montgomery, Alabama 36130-3605 / Telephone (334) 242-2230 / Facsimile (334) 263-1397

**2010 RENEWAL INACTIVE LICENSE**  
(INDIVIDUALS AND BUILDING OFFICIALS)

OFFICE USE ONLY

(Date Stamp)

Check No. \_\_\_\_\_

Amount Paid \_\_\_\_\_

(No charge for building official)

Review the information in the box below. If the information is incorrect,  
please provide the correct information in the space below.

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Business Phone ( ) \_\_\_\_\_ Cellular Phone ( ) \_\_\_\_\_

Fax ( ) \_\_\_\_\_ E-mail Address \_\_\_\_\_

**INSTRUCTIONS:** Please type or print in ink all information. Facsimile transmissions will not be accepted. All questions on the front and back of this application must be answered completely. Use additional sheets if necessary. The Annual Inactive License Fee is \$100. **The deadline for renewal applications is November 30, 2009.** A \$25.00 late fee must accompany any renewal application postmarked on or after December 1, 2009. Your 2009 license expires December 31, 2009.

**NOTICE:** Holding an inactive license does not allow you to engage in any residential construction activity for which a license is required. Your inactive license application must be filed prior to the date your current license expires. Inactive licenses must be renewed annually.

OVER (Continued on Back)



**SECTION 1: BUILDING OFFICIALS**

(To be completed by Building Officials only. You must mark either A or B.)

I am a Building Official or Building Inspector.

I am an employee of \_\_\_\_\_ jurisdiction.

**ATTACH PROOF OF EMPLOYMENT AS A BUILDING OFFICIAL OR BUILDING INSPECTOR.**

By virtue of employment, I am exempt or prohibited from holding a license;

— AND —

☐ A I currently hold the following S.B.C.C.I. or I.C.C. certification **ATTACH A COPY OF CERTIFICATE:**☐ Certified/Chief Building Official☐ Residential Building Inspector☐ Building Plans Examiner☐ Building Inspector☐ Property Maintenance and Housing Inspector☐ Design Professional☐ Deputy Building Official☐ Housing Inspector☐ Plan Reviewer

— OR —

☐ B I do not maintain any of the above certifications. I hereby request to submit evidence to the Board to demonstrate that I possess sufficient building qualifications and experience to receive a license.**SECTION 2: OATH AND RELEASE FOR INDIVIDUALS**

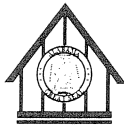
I solemnly swear or affirm that I am the person referred to in this application; that the statements made herein and on the attachments hereto are accurate, complete, and true to the best of my knowledge; that the information provided and statements made on all applications continue to be accurate, complete and true to the best of my knowledge, except as otherwise reported on this application; and further, that if granted an inactive license renewal by the Home Builders Licensure Board, I shall abide by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom I have been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

\_\_\_\_\_  
Printed Name of Applicant\_\_\_\_\_  
Signature of Applicant\_\_\_\_\_  
Social Security Number of Applicant

Provide Last 4 Digits: XXX - XX - \_\_\_\_\_

(Disclosure mandatory under the Alabama Child Support Reform Act of 1997, Act 97-447, Ala. Code § 30-3-1994 (1997 Cum. Supp.) to be used for the purposes described therein.)



**HOME BUILDERS  
LICENSURE BOARD**

www.hblb.alabama.gov

445 Herron Street / Montgomery, Alabama 36130-3605 / Telephone (334) 242-2230 / Facsimile (334) 263-1397

## 2010 RENEWAL INACTIVE LICENSE

(CORPORATIONS, PARTNERSHIPS AND LIMITED LIABILITY COMPANIES)

### OFFICE USE ONLY

(Date Stamp)

Check No. \_\_\_\_\_

Amount Paid \_\_\_\_\_

Review the information in the box below. If the information is incorrect,  
please provide the correct information in the space below.

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Business Phone ( ) \_\_\_\_\_ Cellular Phone ( ) \_\_\_\_\_

Fax ( ) \_\_\_\_\_ E-mail Address \_\_\_\_\_

**INSTRUCTIONS:** Please type or print in ink all information. Facsimile transmissions will not be accepted. All questions on the front and back of this application must be answered completely. Use additional sheets if necessary. The Annual Inactive License Fee is \$100. **The deadline for renewal applications is November 30, 2009.** A \$25.00 late fee must accompany any renewal application postmarked on or after December 1, 2009. Your 2009 license expires **December 31, 2009.**

**NOTICE:** Holding an inactive license does not allow you to engage in any residential construction activity for which a license is required. Your inactive license application must be filed prior to the date your current license expires. Inactive licenses must be renewed annually.

OVER (Continued on Back)

• • • • • **REQUIRED** • • • • •  
**BOTH SECTIONS 1 AND 2 MUST BE SIGNED.**

**SECTION 1: OATH AND RELEASE FOR DESIGNATED  
 QUALIFYING REPRESENTATIVE (DQR)**

I solemnly swear or affirm that I am the person referred to in this application; that the information provided and statements made herein and on the attachments hereto are accurate, complete, and true to the best of my knowledge; that the information provided and statements made on all applications for the applicant named herein and for which I have been the qualifying representative continue to be accurate, complete, and true to the best of my knowledge, except as otherwise reported on this renewal application; and further, that if the Home Builders Licensure Board recognizes me as a qualifying representative, and if granted an inactive license renewal by the Home Builders Licensure Board, I shall abide by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom the applicant has been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

\_\_\_\_\_  
 Printed Name of Designated Qualifying Representative (DQR)  
 (Must be a General Partner, Officer or Member)

\_\_\_\_\_  
 Signature of Designated Qualifying Representative (DQR)  
 (Must be a General Partner, Officer or Member)

\_\_\_\_\_  
 Social Security Number of Designated Qualifying Representative (DQR)

Provide Last 4 Digits: XXX - XX - \_\_\_\_\_  
 (Disclosure mandatory under the Alabama Child Support Reform Act of 1997, Act 97-447,  
 Ala. Code § 30-3-1994 (1997 Com. Supp.) to be used for the purposes described therein.)

Its: \_\_\_\_\_  
 ( Position Held)

**SECTION 2: OATH AND RELEASE FOR CORPORATIONS, PARTNERSHIPS, OR  
 LIMITED LIABILITY COMPANIES (L.L.C.)**

I solemnly swear or affirm that I am authorized to execute this application on behalf of the applicant; that I have actual knowledge of the statements made herein and on the attachments hereto and that such statements are accurate, complete, and true to the best of my knowledge; that the statements made on all applications continue to be accurate, complete, and true to the best of my knowledge, except as otherwise reported on this renewal application; and further, that if the applicant is granted an inactive license renewal by the Home Builders Licensure Board, I shall use my best efforts to ensure that the applicant abides by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom the applicant has been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

By: \_\_\_\_\_  
 Printed Name of Authorized General Partner, Officer, or Member

By: \_\_\_\_\_  
 Signature of Authorized General Partner, Officer, or Member

Its: \_\_\_\_\_  
 Position Held

**BOTH SECTIONS 1 AND 2 MUST BE SIGNED.**



## EXPIRED LICENSE APPLICATION

(INDIVIDUALS)

445 Herron Street / Montgomery, Alabama 36130-3605 / Telephone (334) 242-2230 / Facsimile (334) 263-1397

### OFFICE USE ONLY

(Date Stamp)

Check No. \_\_\_\_\_

Amount Paid \_\_\_\_\_

**INSTRUCTIONS:** Please type or print in ink all information. Copies or facsimile transmissions will not be accepted. All questions must be answered completely. Make check or money order for \$500.00 (\$205.00 annual license fee plus \$295.00 non-refundable application processing fee for an expired license) payable to the Home Builders Licensure Board. All fees must be paid before your application can be processed.

**NOTICE: Submitting false information for the purpose of obtaining a license is a criminal offense and grounds for license denial. Holding an individual license does not allow you to engage in residential construction through an unlicensed corporation, partnership, or limited liability company.**

### SECTION 1:

Full Name \_\_\_\_\_

Previous File Number \_\_\_\_\_ Year License Expired \_\_\_\_\_

Social Security No. \_\_\_\_\_

[Disclosure mandatory under the Alabama Child Support Reform Act of 1997, Act 97-447,  
Alabama Code Section 30-3-194 (1997 Cum. Supp.) to be used for the purposes described therein.]

List any and all business names/trade names you plan to use to perform residential construction or remodeling:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Business Phone (      ) \_\_\_\_\_ Cellular Phone (      ) \_\_\_\_\_

Fax (      ) \_\_\_\_\_ E-mail Address \_\_\_\_\_

Do you, or any entity of which you are the designated qualifying representative, have any pending disciplinary actions before this Board?..... ☐ Yes ☐ No

If yes, provide the name of the homeowner involved: \_\_\_\_\_

(Continued on Back)

Revised 08/08

**SECTION 2:**

IF YOU ANSWER "YES" TO ANY OF THE FOLLOWING QUESTIONS, YOU MUST PROVIDE THE REQUESTED DOCUMENTATION AND A FULL EXPLANATION ON A SEPARATE SHEET OF PAPER.

- ☐ Yes ☐ No 1. Since this license was last active, have you pled guilty or nolo contendere, or been convicted of a felony?
- ☐ Yes ☐ No 2. Since this license was last active, were you or any company of which you were either a partner, officer, or member declared or placed in bankruptcy?  
     If YES, indicate in the full explanation whether the bankruptcy was filed under Chapter 7, 11 or 13 of the U.S. Bankruptcy Code.  
     If the bankruptcy was filed under Chapter 13, provide a schedule of creditors, a payment plan and a history of payments. If the bankruptcy was filed under Chapter 7, provide a schedule of creditors.  
     If the bankruptcy was discharged, provide a copy of the discharge order.
- ☐ Yes ☐ No 3. Since this license was last active, did you or any company of which you were either a partner, officer, or member have any professional or business license revoked or suspended?
- ☐ Yes ☐ No 4. Do you, or any entity of which you are the Designated Qualifying Representative, have any pending disciplinary actions before this Board?  
     If yes, provide the name of the homeowner involved: \_\_\_\_\_
- ☐ Yes ☐ No 5. Since this license was last active, have you or any company of which you are either a partner, officer, or member made application for a residential home builder's license or similar license to this Board or any other governmental agency prior to this application?  
     If license was granted, attach a copy to this application.  
     If the license was denied, provide a full explanation as an attachment to this application.
- ☐ Yes ☐ No 6. Are there any liens for labor or materials filed on any of your work or the work of any firm of which you are a partner, officer, or member?
- ☐ Yes ☐ No 7. Since this license was last active, have you, or any company of which you were either a partner, officer, or member, been identified by this Board as an unlicensed builder?

**SECTION 3: BUSINESS-RELATED FINANCIAL INFORMATION**

A credit report must be provided directly to the Board's offices by a credit reporting agency. Disclosure of Social Security Number for the purpose of obtaining business-related financial and credit information and public records search is voluntary. Disclosure requested under Alabama Code Section 34-14A-7(a)(4).

**SECTION 4: OATH AND RELEASE FOR INDIVIDUALS**

I solemnly swear or affirm that I am the person referred to in this application; that the information provided and the statements made herein and on the attachments hereto are accurate, complete, and true to the best of my knowledge; that the information provided and the statements made on all applications continue to be accurate, complete, and true to the best of my knowledge, except as otherwise reported on this application; and further, that if granted a license by the Home Builders Licensure Board, I shall abide by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom I have been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

\_\_\_\_\_  
 Printed Name of Individual Applicant

\_\_\_\_\_  
 Signature of Individual Applicant



## EXPIRED LICENSE APPLICATION

(CORPORATIONS, PARTNERSHIPS & LIMITED LIABILITY COMPANIES)

445 Herron Street / Montgomery, Alabama 36130-3605 / Telephone (334) 242-2230 / Facsimile (334) 263-1397

### OFFICE USE ONLY

(Date Stamp)

Check No. \_\_\_\_\_

Amount Paid \_\_\_\_\_

**INSTRUCTIONS:** Please type or print in ink all information. Copies or facsimile transmissions will not be accepted. All questions on the front and back of this application must be answered completely. Make check or money order for \$500.00 (\$205.00 annual license fee plus \$295.00 non-refundable application processing fee for an expired license) payable to the Home Builders Licensure Board. All fees must be paid before your application can be processed.

**NOTICE:** Submitting false information for the purpose of obtaining a license is a criminal offense and grounds for license denial. A corporation or partnership license allows you to engage in residential construction only in the name of the company granted the license. A corporation, partnership, or limited liability company license allows one person to serve as a qualifying representative. Other partners or officers should apply for an individual license.

For a partnership, corporation, or limited liability company applicant to be considered an applicant holding an expired license, the applicant must hold an expired partnership, corporation, or limited liability company license with the same designated qualifying representative as the applicant applying for reactivation.

### SECTION 1:

Please designate appropriate business: ☐ Corporation ☐ Partnership ☐ Limited Partnership ☐ Limited Liability Company

Business Name \_\_\_\_\_ Previous File Number \_\_\_\_\_

Year License Expired \_\_\_\_\_ Federal Tax ID \_\_\_\_\_ State Tax ID \_\_\_\_\_

List any and all business names/trade names you plan to use to perform residential construction or remodeling:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Business Phone ( ) \_\_\_\_\_ Cellular Phone ( ) \_\_\_\_\_

Fax ( ) \_\_\_\_\_ E-mail Address \_\_\_\_\_

Do you, or any entity of which you are the designated qualifying representative, have any pending disciplinary actions before this Board? ..... ☐ Yes ☐ No

If yes, provide the name of the homeowner involved: \_\_\_\_\_

### SECTION 2: DESIGNATED QUALIFYING REPRESENTATIVE (DQR)

You must provide the following information for the general partner, officer, or member who will serve as the designated qualifying representative.

Name (Print) \_\_\_\_\_ Title \_\_\_\_\_

Social Security# \_\_\_\_\_

[Disclosure mandatory under the Alabama Child Support Reform Act of 1997, Act 97-447,  
Alabama Code Section 30-3-194 (1997 Cum. Supp.) to be used for the purposes described therein.]

Address \_\_\_\_\_ Years with Firm \_\_\_\_\_

Is the qualifying representative of the partnership, corporation, or limited liability company the same person who served as the qualifying representative when the license was active? ..... ☐ Yes ☐ No

If NO, this entity is not eligible to reactivate an expired license. Contact the Licensure Division for the appropriate forms.

(Continued on page 2)

Revised 8/08

**SECTION 3:**

IF YOU ANSWER "YES" TO ANY OF THE FOLLOWING QUESTIONS, YOU MUST PROVIDE THE REQUESTED DOCUMENTATION AND A FULL EXPLANATION ON A SEPARATE SHEET OF PAPER.

- ☐ Yes ☐ No 1. Since this license was last active, has any partner, officer, or member of this company pled guilty or nolo contendere, or been convicted of a felony?
- ☐ Yes ☐ No 2. Since this license was last active, was this company, or any partner, officer, or member, or any entity of which this company is a successor, declared or placed in bankruptcy?
- If YES, indicate in the full explanation whether the bankruptcy was filed under Chapter 7, 11 or 13 of the U.S. Bankruptcy Code.
- If the bankruptcy was filed under Chapter 13, provide a schedule of creditors, a payment plan and a history of payments. If the bankruptcy was filed under Chapter 7, provide a schedule of creditors.
- If the bankruptcy was discharged, provide a copy of the discharge order.
- ☐ Yes ☐ No 3. Since this license was last active, did this company, or any partner, officer, or member, or any entity of which this company is a successor, have any professional or business license revoked or suspended?
- ☐ Yes ☐ No 4. Does the applicant, or the applicant's designated qualifying representative, either individually or as the designated qualifying representative of any other entity, have any pending disciplinary actions before this Board?
- If yes, provide the name of the homeowner involved: \_\_\_\_\_
- ☐ Yes ☐ No 5. Since this license was last active has this company, or any partner, officer, or member, or any entity of which this company is a successor, made application for a residential home builder's license or similar license to this Board or any other governmental agency prior to this application?
- If license was granted, attach a copy to this application.
- If the license was denied, provide a full explanation as an attachment to this application.
- ☐ Yes ☐ No 6. Since this license was last active, were there any liens for labor or materials filed on any of the homes constructed by this company, or any partner, officer, or member, or any entity of which this company is a successor?
- ☐ Yes ☐ No 7. Since this license was last active, have any of the partners, officers, or members of this company changed?
- If YES, provide a list of the names, titles and addresses of all current partners, officers or members of this company.
- ☐ Yes ☐ No 8. Since this license was last active, has this company, or any partner, officer, or member of this company, been identified by this Board as an unlicensed builder?

**SECTION 4: BUSINESS-RELATED FINANCIAL INFORMATION**

A credit report must be provided directly to the Board's offices by a credit reporting agency. Disclosure of Social Security Number for the purpose of obtaining business-related financial and credit information and public records search is voluntary. Disclosure requested under Ala. Code § 34-14A-7(a)(4).

**NOTICE: BOTH SECTIONS 5 AND 6 MUST BE SIGNED AS INDICATED.**

### SECTION 5: OATH AND RELEASE FOR DESIGNATED QUALIFYING REPRESENTATIVE (DQR)

I solemnly swear or affirm that I am the person referred to in this application; that the information provided and the statements made herein and on the attachments hereto are accurate, complete, and true to the best of my knowledge; that the information provided and statements made on all applications for the applicant named herein and for which I have been the qualifying representative continue to be accurate, complete, and true to the best of my knowledge, except as otherwise reported on this application; and further, that if the Home Builders Licensure Board recognizes me as a qualifying representative, I shall abide by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom the applicant has been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

\_\_\_\_\_  
Printed Name of Designated Qualifying Representative (DQR)  
(Must be a General Partner, Officer or Member)

\_\_\_\_\_  
Signature of Designated Qualifying Representative (DQR)  
(Must be a General Partner, Officer or Member)

Its: \_\_\_\_\_  
(Position Held)

### SECTION 6: OATH AND RELEASE FOR CORPORATIONS, PARTNERSHIPS, OR LIMITED LIABILITY COMPANIES (L.L.C.)

I solemnly swear or affirm that I am authorized to execute this application on behalf of the applicant; that I have actual knowledge of the statements made herein and on the attachments hereto and that such statements are accurate, complete, and true to the best of my knowledge; that the information provided and the statements made on all applications continue to be accurate, complete and true to the best of my knowledge, except as otherwise reported on this application; and further, that if the applicant is granted a license by the Home Builders Licensure Board, I shall use my best efforts to ensure that the applicant abides by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom the applicant has been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

\_\_\_\_\_  
Printed Name of Authorized General Partner, Officer or Member

\_\_\_\_\_  
Signature of Authorized General Partner, Officer or Member

Its: \_\_\_\_\_  
(Position Held)

**NOTICE: BOTH SECTIONS 5 AND 6 MUST BE SIGNED AS INDICATED.**





445 Herron Street / Montgomery, Alabama 36130-3605 / Telephone (334) 242-2230 / Facsimile (334) 263-1397

## Application for EXPIRED INACTIVE LICENSE

(INDIVIDUALS and BUILDING OFFICIALS)

### OFFICE USE ONLY

(Date Stamp)

Check No. \_\_\_\_\_

Amount Paid \_\_\_\_\_

(No charge for building official)

**INSTRUCTIONS:** Please type or print in ink all information. Facsimile transmissions will not be accepted. All questions on the front and back of this application must be answered completely. Use additional sheets if necessary. The Annual Inactive License Fee is \$100 plus \$25.00 late fee for an expired license. Make check or money order for \$125.00 payable to the Home Builders Licensure Board. All fees must be paid before your application can be processed.

**NOTICE:** Holding an inactive license does not allow you to engage in any residential construction activity for which a license is required. Your inactive license application must be filed prior to the date your current license expires. Inactive licenses must be renewed annually.

### SECTION 1:

Name \_\_\_\_\_

License File Number \_\_\_\_\_ Year License Expired \_\_\_\_\_

Social Security No. \_\_\_\_\_

[Disclosure mandatory under the Alabama Child Support Reform Act of 1997, Act 97-447,  
Alabama Code Section 30-3-194 (1997 Cum. Supp.) to be used for the purposes described therein.]

Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone ( ) \_\_\_\_\_ Cellular Phone ( ) \_\_\_\_\_

Fax ( ) \_\_\_\_\_ E-mail Address \_\_\_\_\_

Do you, or any entity of which you are the designated qualifying representative, have any pending disciplinary actions before this Board? ..... ☐ Yes ☐ No

If yes, provide the name of the homeowner involved: \_\_\_\_\_

Since this license was last placed on inactive status, have you, or any company of which you were either a partner, officer, or member, been identified by this Board as an unlicensed builder? ..... ☐ Yes ☐ No

### SECTION 2: BUILDING OFFICIALS (To be completed by Building Officials only. You must mark either A or B.)

I am a Building Official or Building Inspector.

I am an employee of \_\_\_\_\_ jurisdiction.

#### ATTACH PROOF OF EMPLOYMENT AS A BUILDING OFFICIAL OR BUILDING INSPECTOR.

By virtue of employment, I am exempt or prohibited from holding a license;

— AND —

☐ A I currently hold the following S.B.C.C.I. or I.C.C. certification **ATTACH A COPY OF CERTIFICATE:**

☐ Certified/Chief Building Official

☐ Residential Building Inspector

☐ Building Plans Examiner

☐ Building Inspector

☐ Property Maintenance and Housing Inspector

☐ Design Professional

☐ Deputy Building Official

☐ Housing Inspector

☐ Plan Reviewer

— OR —

☐ B I do not maintain any of the above certifications. I hereby request to submit evidence to the Board to demonstrate that I possess sufficient building qualifications and experience to receive a license.

OVER (Continued on Back)

Revised 8/08

**SECTION 3: OATH AND RELEASE FOR INDIVIDUALS**

I solemnly swear or affirm that I am the person referred to in this application; that the information provided and the statements made herein and on the attachments hereto are accurate, complete, and true to the best of my knowledge; that the information provided and the statements made on all applications continue to be accurate, complete and true to the best of my knowledge, except as otherwise reported on this application; and further, that if granted an inactive license by the Home Builders Licensure Board, I shall abide by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom I have been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

---

Printed Name of Applicant

---

Signature of Applicant

SAMPLE



# HOME BUILDERS LICENSURE BOARD

www.hblb.alabama.gov

445 Herron Street / Montgomery, Alabama 36130-3605 / Telephone (334) 242-2230 / Facsimile (334) 263-1397

## Application for EXPIRED INACTIVE LICENSE (CORPORATIONS, PARTNERSHIPS & LIMITED LIABILITY COMPANIES)

### OFFICE USE ONLY

(Date Stamp)

Check No. \_\_\_\_\_

Amount Paid \_\_\_\_\_

(No charge for building official)

**INSTRUCTIONS:** Please type or print in ink all information. Facsimile transmissions will not be accepted. All questions on the front and back of this application must be answered completely. Use additional sheets if necessary. The Annual Inactive License Fee is \$100 plus \$25.00 late fee for an expired license. Make check or money order for \$125.00 payable to the Home Builders Licensure Board. All fees must be paid before your application can be processed.

**NOTICE:** Holding an inactive license does not allow you to engage in any residential construction activity for which a license is required. Your inactive license application must be filed prior to the date your current license expires. Inactive licenses must be renewed annually.

### SECTION 1:

Please designate appropriate business: ☐ Corporation ☐ Partnership ☐ Limited Partnership ☐ Limited Liability Company

Business Name \_\_\_\_\_ Previous File Number \_\_\_\_\_

Year License Expired \_\_\_\_\_ Federal Tax ID \_\_\_\_\_ State Tax ID \_\_\_\_\_

List any and all business names/trade names you use to perform residential construction or remodeling:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Business Phone ( ) \_\_\_\_\_ Cellular Phone ( ) \_\_\_\_\_

Fax ( ) \_\_\_\_\_ E-mail Address \_\_\_\_\_

Does the applicant, or the applicant's designated qualifying representative, either individually or as the designated qualifying representative of any other entity, have any pending disciplinary actions before this Board?..... ☐ Yes ☐ No

If yes, provide the name of the homeowner involved: \_\_\_\_\_

Since this license was last placed on inactive status, has this company, or any partner, officer, or member of this company, been identified by this Board as an unlicensed builder? ..... ☐ Yes ☐ No

### SECTION 2: DESIGNATED QUALIFYING REPRESENTATIVE (DQR)

You must provide the following information for the general partner, officer, or member who will serve as the designated qualifying representative.

Name (Print) \_\_\_\_\_ Title \_\_\_\_\_

Social Security# \_\_\_\_\_

[Disclosure mandatory under the Alabama Child Support Reform Act of 1997, Act 97-447, Alabama Code Section 30-3-194 (1997 Cum. Supp.) to be used for the purposes described therein.]

Address \_\_\_\_\_ Years with Firm \_\_\_\_\_

Is the qualifying representative of the partnership, corporation, or limited liability company the same person who served as the qualifying representative when the inactive license expired?..... ☐ Yes ☐ No

If NO, this entity is not eligible to reactivate an expired inactive license. Contact the Licensure Division for the appropriate forms.

OVER (Continued on Back)

Revised 8/08

**NOTICE: BOTH SECTIONS 3 AND 4 MUST BE SIGNED AS INDICATED.**

### SECTION 3: OATH AND RELEASE FOR DESIGNATED QUALIFYING REPRESENTATIVE (DQR)

I solemnly swear or affirm that I am the person referred to in this application; that the information provided and statements made herein and on the attachments hereto are accurate, complete, and true to the best of my knowledge; that the information provided and statements made on all applications for the applicant named herein and for which I have been the qualifying representative continue to be accurate, complete, and true to the best of my knowledge, except as otherwise reported on this application; and further, that if the Home Builders Licensure Board recognizes me as a qualifying representative, I shall abide by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom the applicant has been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

\_\_\_\_\_  
Printed Name of Designated Qualifying Representative (DQR)  
(Must be a General Partner, Officer or Member)

\_\_\_\_\_  
Signature of Designated Qualifying Representative (DQR)  
(Must be a General Partner, Officer or Member)

Its: \_\_\_\_\_  
(Position Held)

### SECTION 4: OATH AND RELEASE FOR CORPORATIONS, PARTNERSHIPS, OR LIMITED LIABILITY COMPANIES (L.L.C.)

I solemnly swear or affirm that I am authorized to execute this application on behalf of the applicant; that I have actual knowledge of the statements made herein and on the attachments hereto and that such statements are accurate, complete, and true to the best of my knowledge; that the statements made on all applications continue to be accurate, complete and true to the best of my knowledge, except as otherwise reported on this application; and further, that if the applicant is granted an inactive license by the Home Builders Licensure Board, I shall use my best efforts to ensure that the applicant abides by all laws relating to residential home builders and the rules adopted by the Board.

I hereby authorize any individual, company, or institution with whom the applicant has been associated to release to the Home Builders Licensure Board all information and records as are necessary to verify or contradict the information provided in this application.

\_\_\_\_\_  
Printed Name of Authorized General Partner, Officer or Member

\_\_\_\_\_  
Signature of Authorized General Partner, Officer or Member

Its: \_\_\_\_\_  
(Position Held)

**NOTICE: BOTH SECTIONS 3 AND 4 MUST BE SIGNED AS INDICATED.**

# UNLICENSED BUILDER

## Identification of Unlicensed Builder

- By Phone, Mail, Fax, etc.
- Consumer Complaint
- Investigator

## Investigation

- Work On-Going/UB On Site
- Work On-Going/UB Off Site
- Work Complete
- UB Previously Licensed or Prior Violations

## Disciplinary Action

- Administrative Resolution
- Investigative Committee
- Board Review

# Unlicensed Builders

## Identification of Unlicensed Builder

- A. Unlicensed builder tips received via phone call, fax, mail, etc. are directed to Paralegal for Licensure.
  1. Paralegal manually assigns a number to the tip and adds the information to a log maintained by the Paralegal on a separate spreadsheet.
  2. Paralegal sends tip to Investigator for the territory of the location of the building activity.
  3. An investigation proceeds as outlined below to determine probable cause.
- B. A consumer complaint reveals unlicensed building activity.
  1. Paralegal for Compliance forwards a copy of the consumer complaint to Paralegal for Licensure.
  2. Paralegal forwards consumer complaint to Investigator for the territory of the location of building activity.
  3. An investigation proceeds as outlined below.
- C. An Investigator locates unlicensed building activity.
  1. The Investigator notifies the Board.
  2. An investigation proceeds as outlined below.
- D. Regardless of the manner in which unlicensed building activity is identified, when probable cause is established, an Unlicensed Builder file is opened.
  1. Paralegal assigns an unlicensed builder file number and manually enters the information into the Unlicensed Builder database.
  2. Paralegal creates the hard file and an electronic file on the network server.
  3. Paralegal scans any documents that have been collected to date pertaining to the unlicensed builder file to PDF format.
    - a. The hard paper copy is placed in the unlicensed builder file.
    - b. The PDF is moved to the electronic unlicensed builder file.
  4. Paralegal forwards information to Investigator for the territory of the location of the building activity.

## Investigation

### *If the work for which a license is required is on-going:*

1. The Investigator submits evidence of unlicensed building activity via fax or email to Legal Counsel for review.
  - a. Upon verbal authorization from Legal Counsel, the Investigator issues a Stop Work Order (SWO).
  - b. If the unlicensed builder is on the job site,
    - 1) The Investigator posts the SWO at the job site.
    - 2) The unlicensed builder is advised of the statutory requirements for licensure and the civil and criminal liabilities resulting from a violation of the Act.
    - 3) The unlicensed builder is advised he has 5 days to contact the Board from the date the SWO is posted regarding the violation.
    - 4) Investigator faxes copy of SWO and report to Paralegal.
    - 5) Paralegal enters date of SWO in database and manually tracks the time.

- 6) Paralegal scans SWO and report to PDF format.
  - a) The hard paper copy is placed in the unlicensed builder file.
  - b) The PDF is moved to the electronic unlicensed builder file.
- 7) If the Homeowner lives outside the area, the Paralegal generates a letter from a template:
  - a) Advising of the statutory requirements for licensure and the civil and criminal liabilities resulting from a violation of the Act.
  - b) Advising that the SWO will not be lifted allowing work to resume until:
    - (1) The unlicensed builder obtains a residential home builders license issued by the Board; or
    - (2) The homeowner hires a licensed builder to complete the job; or,
    - (3) The homeowner claims the homeowner exemption and signs a homeowner affidavit.
  - c) When letter is signed, Paralegal:
    - (1) Copies and scans the letter to PDF format.
    - (2) The hard copy is placed in the unlicensed builder file.
    - (3) The PDF is moved to the electronic unlicensed builder file on the network server.
    - (4) The original letter is sent via certified mail or Federal Express.
- 8) SWO remains on the job site until the Board:
  - a) Completes the application process and issues a license to the unlicensed builder; or
  - b) Receives an affidavit from a licensed builder that has contracted with the homeowner to complete the job along with a building permit issued in the licensed builder's name; or
  - c) Receives an affidavit from the homeowner that they will be acting as their own builder along with a building permit issued in the homeowner's name.
  - d) Upon receipt of any of these documents, the Paralegal:
    - (1) Updates unlicensed builder database;
    - (2) Scans the documents to PDF format.
      - (a) The hard paper copy is placed in the unlicensed builder file.
      - (b) The PDF is moved to the electronic unlicensed builder file.
- 9) See Disciplinary Action below.
- c. If the unlicensed builder is not on the job site,
  - 1) The Investigator posts the SWO at the job site.
  - 2) The Investigator delivers a copy of the SWO to the homeowner.
  - 3) The Investigator faxes copy of SWO and report to Paralegal.
  - 4) Paralegal enters date of SWO in database and manually tracks the time.
  - 5) Paralegal scans SWO and report to PDF format.
    - a) The hard paper copy is placed in the unlicensed builder file.
    - b) The PDF is moved to the electronic unlicensed builder file.
  - 6) Paralegal generates a 5-Day letter from a template to the unlicensed builder:
    - a) Advising of the statutory requirements for licensure and the civil and criminal liabilities resulting from a violation of the Act
    - b) Advising that he has 5 days within which to contact the Board regarding the violation.
    - c) When letter is signed, Paralegal:
      - (1) Copies and scans the letter to PDF format.
      - (2) The hard copy is placed in the unlicensed builder file.

- (3) The PDF is moved to the electronic unlicensed builder file on the network server.
    - (4) The original letter is sent via certified mail or Federal Express.
  - 7) If the homeowner lives outside the area, the Paralegal generates a letter to the homeowner from a template:
    - a) Advising of the statutory requirements for licensure and the civil and criminal liabilities resulting from a violation of the Act.
    - b) Advising that the SWO will not be lifted allowing work to resume until:
      - (1) The unlicensed builder obtains a residential home builders license issued by the Board; or
      - (2) The homeowner hires a licensed builder to complete the job; or,
      - (3) The homeowner claims the homeowner exemption and signs a homeowner affidavit.
    - c) When letter is signed, Paralegal:
      - (1) Copies and scans the letter to PDF format.
      - (2) The hard copy is placed in the unlicensed builder file.
      - (3) The PDF is moved to the electronic unlicensed builder file on the network server.
      - (4) The original letter is sent via certified mail or Federal Express.
  - 8) The SWO remains on the job site until the Board:
    - a) Completes the application process and issues a license to the unlicensed builder; or
    - b) Receives an affidavit from a licensed builder that has contracted with the homeowner to complete the job along with a building permit issued in the licensed builder's name; or
    - c) Receives an affidavit from the homeowner that they will be acting as their own builder along with a building permit issued in the homeowner's name.
    - d) Upon receipt of any of these documents, the Paralegal:
      - (1) Updates unlicensed builder database;
      - (2) Scans the documents to PDF format.
      - (3) The hard paper copy is placed in the unlicensed builder file.
      - (4) The PDF is moved to the electronic unlicensed builder file.
  - 9) See Disciplinary Action below.
- d. If the currently unlicensed builder was previously licensed:
  - 1) The Investigator posts the SWO at the job site, immediately.
  - 2) The unlicensed builder is advised of the statutory requirements for licensure and the civil and criminal liabilities resulting from a violation of the Act.
  - 3) The unlicensed builder is advised he has 5 days to contact the Board from the date the SWO is posted regarding the violation.
  - 4) Investigator faxes copy of SWO and report to Paralegal.
  - 5) Paralegal enters date of SWO in database and manually tracks the time.
  - 6) Paralegal scans SWO and report to PDF format.
    - a) The hard paper copy is placed in the unlicensed builder file.
    - b) The PDF is moved to the electronic unlicensed builder file.
  - 7) If the Homeowner lives outside the area, the Paralegal generates a letter from a template:
    - a) Advising of the statutory requirements for licensure and the civil and criminal liabilities resulting from a violation of the Act.
    - b) Advising that the SWO will not be lifted allowing work to resume until:



- (1) The unlicensed builder obtains a residential home builders license issued by the Board; or
  - (2) The homeowner hires a licensed builder to complete the job; or,
  - (3) The homeowner claims the homeowner exemption and signs a homeowner affidavit.
- c) When letter is signed, Paralegal:
  - (1) Copies and scans the letter to PDF format.
  - (2) The hard copy is placed in the unlicensed builder file.
  - (3) The PDF is moved to the electronic unlicensed builder file on the network server.
  - (4) The original letter is sent via certified mail or Federal Express.
- 8) SWO remains on the job site until the Board:
  - a) Completes the application process and issues a license to the unlicensed builder; or
  - b) Receives an affidavit from a licensed builder that has contracted with the homeowner to complete the job along with a building permit issued in the licensed builder's name; or
  - c) Receives an affidavit from the homeowner that they will be acting as their own builder along with a building permit issued in the homeowner's name.
  - d) Upon receipt of any of these documents, the Paralegal:
    - (1) Updates unlicensed builder database;
    - (2) Scans the documents to PDF format.
    - (3) The hard paper copy is placed in the unlicensed builder file.
    - (4) The PDF is moved to the electronic unlicensed builder file.
- 9) The Paralegal prepares an administrative resolution as outlined below in Disciplinary Action.
- 10) The Paralegal prepares unlicensed builder file for Investigative Committee Review as outlined below in Disciplinary Action.
- e. If the currently unlicensed builder had prior unlicensed builder violation(s):
  - 1) The Investigator posts the SWO at the job site, immediately.
  - 2) The unlicensed builder is advised of the statutory requirements for licensure and the civil and criminal liabilities resulting from a violation of the Act.
  - 3) The unlicensed builder is advised he has 5 days to contact the Board from the date the SWO is posted regarding the violation.
  - 4) Investigator faxes copy of SWO and report to Paralegal.
  - 5) Paralegal enters date of SWO in database and manually tracks the time.
  - 6) Paralegal scans SWO and report to PDF format.
    - a) The hard paper copy is placed in the unlicensed builder file.
    - b) The PDF is moved to the electronic unlicensed builder file.
  - 7) If the Homeowner lives outside the area, the Paralegal generates a letter from a template:
    - a) Advising of the statutory requirements for licensure and the civil and criminal liabilities resulting from a violation of the Act.
    - b) Advising that the SWO will not be lifted allowing work to resume until:
      - (1) The unlicensed builder obtains a residential home builders license issued by the Board; or
      - (2) The homeowner hires a licensed builder to complete the job; or,
      - (3) The homeowner claims the homeowner exemption and signs a homeowner affidavit.

- c) When letter is signed, Paralegal:
  - (1) Copies and scans the letter to PDF format.
  - (2) The hard copy is placed in the unlicensed builder file.
  - (3) The PDF is moved to the electronic unlicensed builder file on the network server.
  - (4) The original letter is sent via certified mail or Federal Express.
- 8) SWO remains on the job site until the Board:
  - a) Completes the application process and issues a license to the unlicensed builder; or
  - b) Receives an affidavit from a licensed builder that has contracted with the homeowner to complete the job along with a building permit issued in the licensed builder's name; or
  - c) Receives an affidavit from the homeowner that they will be acting as their own builder along with a building permit issued in the homeowner's name.
  - d) Upon receipt of any of these documents, the Paralegal:
    - (1) Updates unlicensed builder database;
    - (2) Scans the documents to PDF format.
    - (3) The hard paper copy is placed in the unlicensed builder file.
    - (4) The PDF is moved to the electronic unlicensed builder file.
- 9) See Disciplinary Action Below

***If the work for which a license is required is complete, or the unlicensed builder is no longer on the job, or the unlicensed builder has abandoned the job:***

- 1. The Investigator generates a report from a template and includes photographs and supporting documentation to be submitted to Legal Counsel for review.
- 2. Upon authorization from Legal Counsel, Paralegal generates a 10-day letter to the unlicensed builder:
  - a. Advising of the statutory requirements for licensure and the civil and criminal liabilities resulting from a violation of the Act.
  - b. Advising that he has 10 days within which to contact the Board regarding the violation.
  - c. When letter is signed, Paralegal:
    - 1) Copies and scans the letter to PDF format.
    - 2) The hard copy is placed in the unlicensed builder file.
    - 3) The PDF is moved to the electronic unlicensed builder file on the network server.
    - 4) The original letter is sent via certified mail or Federal Express.
    - 5) Paralegal updates unlicensed builder database and manually tracks time.
- 3. See Disciplinary Action below.

## **Disciplinary Action**

### ***Administrative Resolution***

- A. If the unlicensed builder responds within the time frame of the SWO or applicable Board letter, the Paralegal prepares an administrative resolution and cover letter generated manually from a template:
  - 1. Administrative resolution includes the amount of the administrative fine and the date the fully executed administrative resolution and fine are due to the Board.
  - 2. Paralegal enters amount of fine and the date due into the unlicensed builder database.
  - 3. Paralegal manually tracks due date of resolution.

4. Upon receipt of the fully executed administrative resolution and payment of the fine by check or money order, the Paralegal:
  - a. Updates the unlicensed builder database;
  - b. Copies and scans the fully executed administrative resolution and payment to PDF format.
  - c. The original of the administrative resolution and a copy of the payment are placed in the unlicensed builder file.
  - d. The PDF is moved to the electronic unlicensed builder file on the network server.
  - e. A copy of the administrative resolution and the payment are forwarded to Accounting.
  - f. The Paralegal prepares the unlicensed builder file for Investigative Committee Review.
5. If the unlicensed builder does not respond to the administrative resolution, the Paralegal prepares the unlicensed builder file for Investigative Committee Review.
6. If the builder does not respond within the time frame of the SWO or applicable Board letter, the Paralegal prepares the unlicensed builder file for Investigative Committee Review.

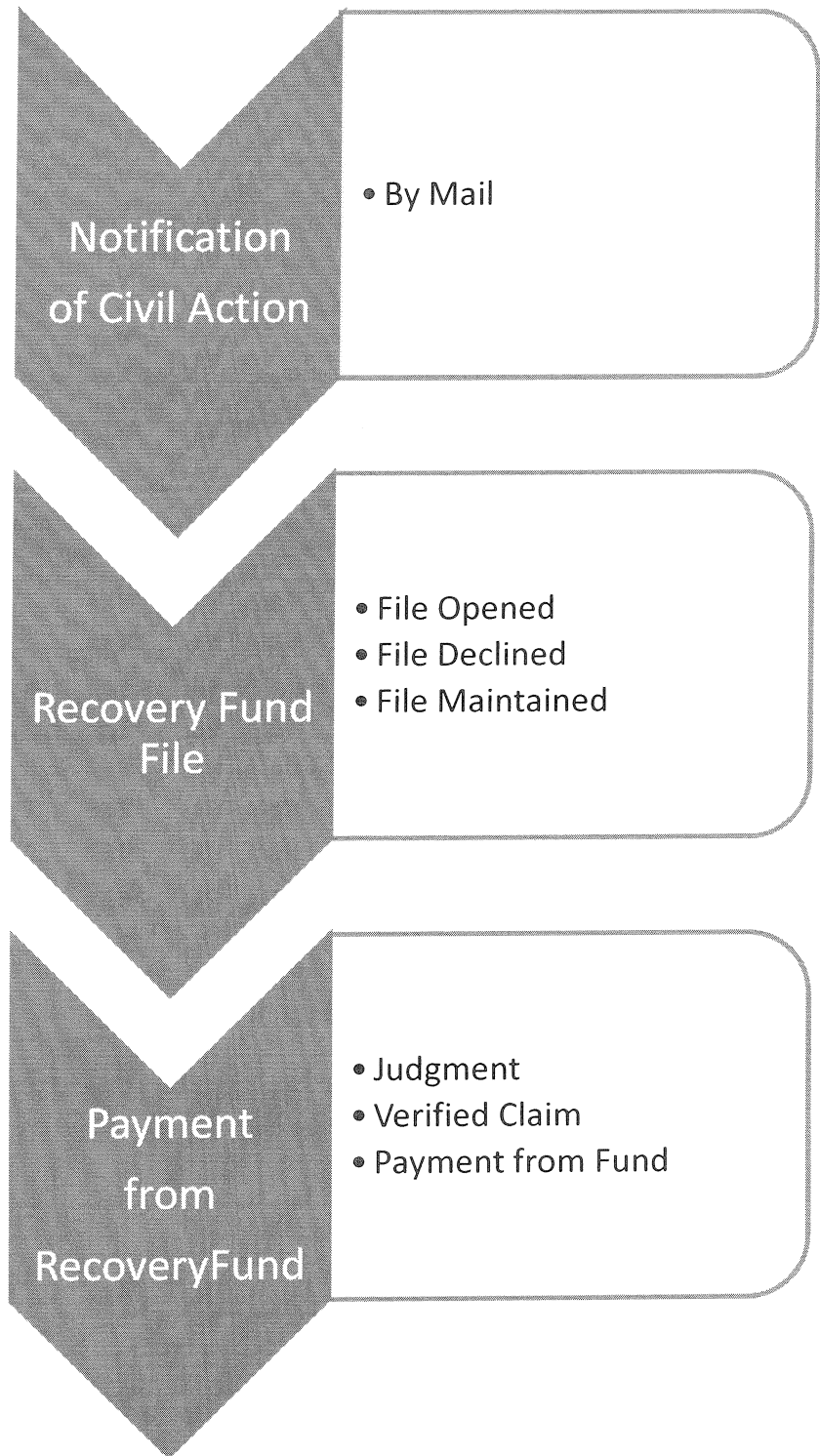
### *Investigative Committee Review*

- A. Paralegal prepares an Investigative Committee Review Cover Sheet manually from a template for each unlicensed builder file to be reviewed.
  1. Investigative Committee Review Cover sheets and attachments are copied and scanned to PDF format.
  2. Copies of the Investigative Committee Review Cover Sheets and attachments are made for member of the Investigative Committee.
  3. Original and attachments are forwarded to Legal Counsel for presentation to the Investigative Committee.
- B. Investigative Committee determines and recommends to the Board to:
  1. Close the file; or
  2. Present evidence that misdemeanor charges should be brought against the builder to the appropriate governmental authority within the county in which the residential home builder has acted.
- C. If the Board adopts the recommendations of the Investigative Committee and orders that:
  1. The unlicensed builder file be closed, the Paralegal:
    - a. Updates the comments section of the unlicensed builder database;
    - b. If necessary, prepares a letter of notification appropriate to the circumstances to the builder.
    - c. Paralegal manually updates unlicensed builder database.
  2. That evidence be presented to the appropriate governmental authority, the Paralegal:
    - a. Prepares a packet of information that includes the evidence of the violation, the Driver License abstract and cover sheet, which is generated from a template.
      - 1) Copies and scans all documents included in the packet to PDF format.
      - 2) The hard copy is placed in the unlicensed builder file.
      - 3) The PDF is moved to the electronic unlicensed builder file.
    - b. Mails packet to Investigator of the unlicensed builder file.
    - c. Investigator delivers packet to appropriate governmental authority and swears out an affidavit alleging the charge.
    - d. Investigator notes of cover sheet the date the charge was sworn to and, if a warrant was issued, the date of issuance.
    - e. Investigator returns packet with annotated cover sheet and any additional documentation for governmental authority to the Paralegal.

**ATTACHMENT "A"**

- f. Paralegal scans annotated cover sheet and any additional documentation.
  - 1) The hard copy of the documents is placed in the unlicensed builder file.
  - 2) The PDF is moved to the electronic unlicensed builder file.
- g. Paralegal manually updates unlicensed builder database status through each stage of prosecution.

# HOMEOWNERS' RECOVERY FUND



# Homeowners' Recovery Fund

## Notification of Civil Action

- A. A homeowner must notify the Board at the time a civil action is commenced which may result in liability for the Homeowners' Recovery Fund. Notification must:
  1. Be in writing;
  2. Be sent by Certified Mail;
  3. Include a cover letter and a copy of the civil complaint;
  4. Not be later than 10 days from the date on which the complaint is filed with the court.
- B. Upon receipt of written notice<sup>1</sup>, Paralegal:
  1. Checks the licensure database to determine whether the defendant was a licensee, and whether he was licensed at the time the contract was entered into with the homeowner, and at the time the work was performed.
  2. Checks the consumer complaint database to determine whether the homeowner has filed a consumer complaint on the licensee.

## Opening a Recovery Fund File

If the requirements as outlined in paragraph A through B(1) above are met, Paralegal opens a Recovery Fund (RF) file.

- A. Paralegal assigns the file a number, manually enters the information from the civil complaint into the Recovery Fund database.
- B. Paralegal creates the hard file and an electronic file on the network server.
- C. Paralegal files a limited entry of appearance by the Board (Legal Counsel) in the civil case.
  1. The first entry must be mailed to the court.
  2. Subsequent pleadings are filed via AlaFile.
- D. Paralegal generates a letter manually from template to the homeowner/attorney who provided notice, notifying them that the file has been opened and noting whether a consumer complaint has been filed.
  1. Signed letter is copied and scanned to PDF file.
  2. The hard copy is placed in the recovery fund file.
  3. The PDF is moved to the electronic recovery fund file on the network server.
  4. The original letter is sent via first class mail.
    - a. If it is the attorney's first case with the Board, included with the letter is a copy of the Board's regulations.
    - b. If a consumer complaint has not been filed, included with the letter is a consumer complaint form to be completed.
    - c. A copy of the entry is included.
- E. Paralegal generates a letter manually from template to the licensee notifying them that the file has been opened.
  1. Signed letter is copied and scanned to PDF file.

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<sup>1</sup> The notice can be sent by an attorney, or by the homeowner if they are not represented by an attorney. For the sake of brevity and clarity, references to the attorney in this document are understood to refer to either the homeowners' attorney, or the homeowner if they are unrepresented.

2. The hard copy is placed in the recovery fund file.
3. The PDF is moved to the electronic recovery fund file on the network server.
4. The original letter is sent certified mail.
- F. Paralegal checks AlaCourt to be sure the entry of appearance has been received and entered by the court.
  1. A hard copy is printed and place in the recovery fund file
  2. The electronic copy is saved to the electronic recovery fund file on the network server.
- G. Paralegal checks the USPS website for receipt of licensee's certified mail letter.
  1. A hard copy is printed and placed in the recovery fund file.
  2. The electronic copy is saved to the electronic recovery fund file on the network server.
- H. When steps A – G, above, are complete, the hard file is filed in the file room and considered "Pending".

### **Declining to Open the File**

- A. The Board declines to open a Recovery Fund file:
  1. If the civil complaint does not include the dates of the contract and/or construction;
  2. If the subject of the construction is outside the Board's jurisdiction;
  3. If the licensee is not named correctly;
  4. If the defendant was not licensed;
  5. If the Board has already paid out the maximum amount (\$50,000) on the licensee;
  6. If the Board has been named as a party.
    - a. If the Board has been named as a party, Legal Counsel calls the attorney and requests that they file a voluntary dismissal of the Board. Paralegal opens the recovery fund file upon receipt of the order from the court dismissing the Board as a party.
    - b. If the attorney does not file a voluntary dismissal within a reasonable time as determined by Legal Counsel, the Board files a motion to be dismissed.
      - 1) Paralegal drafts the motion; Legal Counsel reviews and finalizes.
      - 2) Paralegal files the motion and a limited entry of appearance via USPS mail, since the Board cannot file electronically until the entry is filed.
    - c. When the Board receives an order from the court dismissing the Board as a party, and assuming all other requirements are met, Paralegal opens the recovery fund file.
- B. Declined files are not assigned a recovery fund file number.
- C. Paralegal sends a letter to the attorney stating the reason for declining to open a file
- D. Paralegal maintains all documents pertaining to declined files in an accordion file
- E. Declined files wherein the Board has filed a motion to dismiss, or a response and objection prior to opening the file, are kept in Paralegal's office in green file folders.

### **Pending Files**

During the course of the civil case, the Board receives copies of pleadings and documents that have been filed by the various parties.

- A. Legal Counsel and Paralegal receive email notifications of pleadings and documents via AlaCourt.
  1. Legal Counsel and Paralegal reviews documents for relevance, and to determine whether the Board needs to respond.
  2. Paralegal saves all documents to the electronic recovery fund file on the network server.
- B. Pleadings and documents received via mail:

1. Legal Counsel reviews;
2. If action is required, Legal Counsel generates letters or responses as necessary;
3. If no action is required, ASA 2 – Administrative Assistant scans to PDF format;
  - a. The hard copy is placed in the recovery fund file.
  - b. The PDF is moved to the electronic recovery fund file on the network server.

## Verified Claims

- A. When the Board receives a copy of the judgment rendered against the licensee via either AlaCourt or mail:
  1. Paralegal notes in the recovery fund database that the Board has received a notice of claim;
  2. Paralegal checks again to verify whether a consumer complaint has been filed, and if not, so notes on the file;
  3. Paralegal forwards file to Legal Counsel for further processing.
- B. Legal Counsel contacts the attorney by telephone, then emails the attorney a sample verified claim.
  1. The attorney prepares the verified claim and emails it back to Legal Counsel for review.
  2. If Legal Counsel approves the verified claim, the attorney is notified to file it with the court via either AlaFile or mail.
  3. If Legal Counsel does not approve the verified claim, the attorney is contacted and the Board's issues with the verified claim are discussed.
    - a. If the attorney refuses to change the verified claim, it is filed in its existing form.
    - b. Paralegal drafts a response and objection to the verified claim;
      - 1) Legal Counsel reviews and finalizes the response and objection;
      - 2) Paralegal files the response and objection to the verified claim via either AlaFile or mail.
      - 3) Paralegal saves the response and objection to the electronic recovery fund file on the network server.
- C. When the Board receives a copy of the filed verified claim from the court, via either AlaCourt or mail, Paralegal notes the date of receipt in the database and gives the verified claim to Legal Counsel with the recovery fund file for review.
  1. If Legal Counsel determines that the Board is not going to file a response and objection:
    - a. Legal Counsel emails the attorney a sample order to pay
    - b. The attorney prepares the order and emails it back to Legal Counsel for review.
    - c. If Legal Counsel approves the order, she notifies the attorney via phone or email that the order may be submitted to the court for the judge's signature and entry.
  2. If Legal Counsel determines that the Board needs to file a response and objection:
    - a. Paralegal drafts the response and objection to the verified claim;
    - b. Legal Counsel reviews and finalizes the response and objection;
    - c. Paralegal files the response and objection to the verified claim via either AlaFile or mail.

## Orders to Pay

- A. When the Board receives the signed order to pay from the court via either AlaCourt or mail:
  1. Paralegal notes the date of receipt of the order in the database
  2. Paralegal notifies Accounting that an order to pay has been received, including the amount to be paid and the recovery fund file number.
  3. Paralegal sends the attorney:
    - a. a Release and Assignment of Rights (RAR) form,

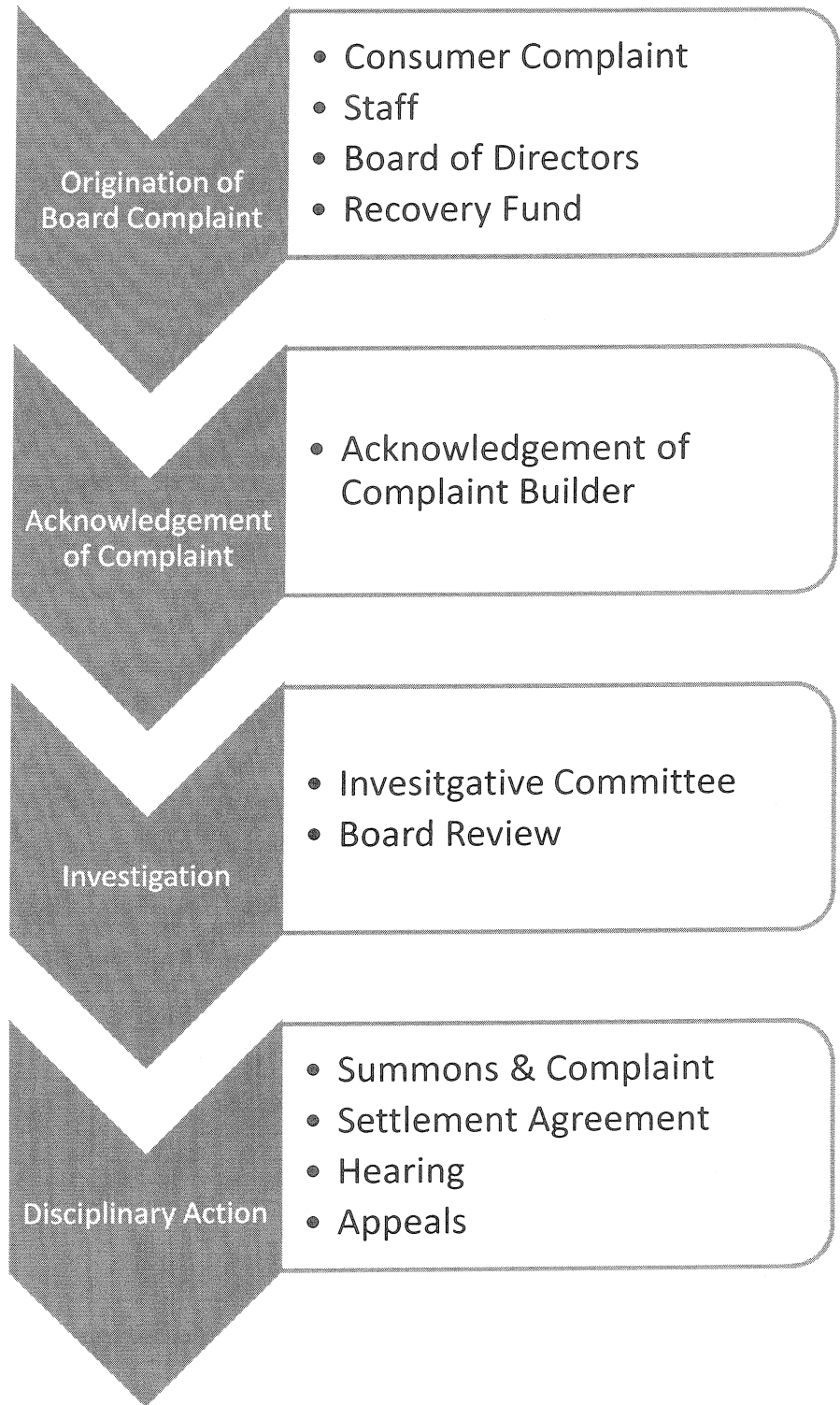


- b. a W-9 form,
    - c. a cover letter with instructions for completing the documents via certified mail.
  - 4. Paralegal notes in the recovery fund database the date the RAR packet is sent.
- B. When the Board receives the RAR and W-9 from the attorney, Paralegal reviews the documents.
  - 1. If a document has been completed incorrectly or is incomplete:
    - a. Paralegal either calls the attorney and explains the problem, or sends them a letter with more detailed instructions.
    - b. Paralegal either sends them new documents or lets them download the W-9 from IRS.gov.
    - c. Paralegal notes the date of receipt of the RAR in the database, and adds notes regarding any infirmities of the documents.
  - 2. If the docs are correct and complete, Paralegal forwards the file to Accounting for processing payment.
  - 3. Paralegal notes in the database the date the file is taken to Accounting.
- C. Upon receipt of check from the State Finance Department, Accounting returns the file with the check to Paralegal.
- D. Paralegal overnights, via FedEx, the check and a cover letter to the attorney's office.

### **Closing the File**

- A. When payment from the recovery fund has been issued to the attorney, Paralegal:
  - 1. Changes the status of the file in the recovery fund database;
  - 2. Notes payment from the recovery fund;
  - 3. Notes the date the file is to be destroyed
  - 4. Paralegal notes the date paid, and the year file is to be destroyed, on the outside of the hard file.
- B. Paralegal takes the file to Legal Counsel for Compliance in order for a board complaint to be opened against the licensee based on payment from the Fund.
- C. When the Board receives notice via AlaCourt or mail that a case has been dismissed prior to judgment, and a judgment was not entered against the licensee, Paralegal closes the file pursuant to sections A and B, above.

# BOARD COMPLAINT



## SUBPOENA FILES

Request  
for Documents

- By Mail, Phone, etc. -
- ***Denied*** without Subpoena

Receipt of  
Subpoena

- By Mail

Response to  
Subpoena

- Affidavit of Licensure
- Affidavit and Certification of Public Information
- Legal Motion

# AFFIDAVITS

Request  
for Affidavit

- By Mail, Email

Response to  
Request

- Affidavit of Licensure
- Affidavit and Certification of Public Information

# CONSUMER COMPLAINT

Request for  
Consumer  
Complaint Form

- By Mail, Phone
- From Website

Acknowledgement  
of Complaint

- Acknowledgement of Complaint to Homeowner and Builder
- Assigned to Investigator

Investigation

- Investigation of Complaint
- Investigator's Report
- Investigative Committee

Disciplinary Action

- Board Review
- Summons & Complaint
- Settlement Agreement
- Hearing
- Appeals

# Compliance and Consumer Affairs

## Compliance

### Board Complaints

#### *Origination of Complaint*

- A. Builder's noncompliance with the rules and regulations is revealed through:
  - 1. Consumer Complaint
  - 2. Application Process
  - 3. Recovery Fund Process
  - 4. Outside Source
- B. Upon notification from Legal Counsel, the Paralegal for Compliance opens a Board Complaint file.
  - 1. Paralegal assigns a Board Complaint file number and manually enters the information into the licensure database in the comments field of the licensure screen.
  - 2. Paralegal manually maintains a log of Board Complaint files.
  - 3. Paralegal creates the hard file and an electronic file on the network server.
  - 4. Paralegal copies applicable documents from Consumer Complaint file, application file, or recovery fund file as appropriate as evidence for Board Complaint.
    - a. Documents are scanned to PDF format.
    - b. The hard paper copy is placed in the Board Complaint file.
    - c. The PDF is moved to the electronic Board Complaint file.

#### *Acknowledgement of Complaint*

- A. The Paralegal prepares a 10-day letter to the Builder generated manually from a template:
  - 1. Signed letter is copied and scanned to PDF file.
  - 2. The hard copy is placed in the Board Complaint file.
  - 3. The PDF is moved to the electronic Board Complaint file on the network server.
  - 4. The original letter is sent certified mail.
- B. Within a week of mailing, Paralegal checks the USPS website for receipt of licensee's certified mail letter.
  - 1. If letter is received, the Paralegal manually logs the receipt date and tracks the time.
    - a. A hard copy of the receipt is printed and placed in the Board Complaint file.
    - b. The electronic copy is saved to the electronic Board Complaint file on the network server.
  - 2. If the letter is returned "Unclaimed", the Paralegal resends the letter via first class mail.
    - a. Paralegal makes a copy of the returned envelope.
    - b. Signed letter, copy of envelope and original letter is copied and scanned to PDF file.
    - c. The copies, along with the returned envelope, are placed in the Board Complaint file.
    - d. The PDF is moved to the electronic Board Complaint file on the network server.
    - e. The second letter, copy of the original returned envelope and the original letter are sent first class mail.

***Investigative Committee***

- A. Paralegal determines when the 10 day response period has lapsed and forwards Board Complaint file to Legal Counsel for review.
  - 1. If the Builder responds within the 10 days:
  - 2. The response is copied and scanned to PDF file.
  - 3. The hard copy is placed in the Board Complaint file.
  - 4. The PDF is moved to the electronic Board Complaint file.
- B. Upon review by Legal Counsel, Paralegal prepares an Investigative Committee Review Cover Sheet manually from a template for each Board Complaint file to be reviewed.
  - 1. Investigative Committee Review Cover sheets and attachments are copied and scanned to PDF format.
  - 2. Copies of the Investigative Committee Review Cover Sheets and attachments are made for members of the Investigative Committee.
  - 3. Original and attachments are forwarded to Legal Counsel for presentation to the Investigative Committee.
- C. Legal Counsel presents all Board Complaint files to the Investigative Committee for review.
  - 1. The Investigative Committee reviews the Board Complaint file for probable cause.
    - a. If the Investigative Committee determines probable cause (PC),
      - 1) the recommendation is made that the case be set for hearing; and
      - 2) the decision is made to offer a settlement
        - a) If yes, the terms and conditions of the settlement are determined by the Investigative Committee.
        - b) If no, the case proceeds to hearing
      - 3) The Executive Secretary prepares an Investigative Committee Report from a template for each complaint for presentation to the Board for review and approval.
    - b. If the Investigative Committee determines no probable cause (NPC),
      - 1) The Investigative Committee recommends that the file be closed; and
      - 2) The Paralegal manually prepares an Investigative Committee Report of Closed Files for presentation to the Board for review and approval.
  - 2. If the Board adopts the recommendations of the Investigative Committee:
    - a. For files determined to have probable cause, the Legal Counsel initiates Disciplinary Action as outline below.
    - b. For files determined to have no probable cause, the Paralegal:
      - 1) Prepares a letter generated from a template to the Builder with notification that no probable cause was found and that the file has been closed.
        - a) Signed letter is copied and scanned to PDF file.
        - b) The hard copy is placed in the Board Complaint file.
        - c) The PDF is moved to the electronic Board Complaint file on the network server.
        - d) The original letter is sent first class mail.
      - 2) Paralegal manually updates licensure database comments field.
      - 3) Paralegal manually logs file closing date and disposition.

***Disciplinary Action***

- A. When the Investigative Committee determines probable cause and its recommendations are adopted by the Board,
  - 1. If the Builder is currently licensed:
    - a. Legal Counsel coordinates hearing date with the Hearing Officer.

- 1) Legal Counsel manually tracks hearing dates, etc.
- 2) Legal Counsel notifies court reporter, Investigator, Homeowner and witnesses of time and date set for hearing.
- b. Executive Secretary and Legal Counsel prepare, manually from templates, Summons and Complaint and cover letter with statement of charges and date set for hearing.
  - 1) Signed letter and Summons and Complaint are copied and scanned to PDF file.
  - 2) The hard copy is placed in the Board Complaint file.
  - 3) The PDF is moved to the electronic Board Complaint file on the network server.
  - 4) The original letter and Summons and complaint are sent certified mail.
  - 5) Within a week, Executive Secretary checks the USPS website for receipt of licensee's certified mail letter.
    - a) If letter is received,
      - (1) A hard copy of the receipt is printed and placed in the Board Complaint file.
      - (2) The electronic copy is saved to the electronic Board Complaint file on the network server.
    - b) If the letter is returned "Unclaimed", the Executive Secretary resends the letter via first class mail.
      - (1) Executive Secretary makes a copy of the returned envelope.
      - (2) Signed letter, copy of envelope and original letter and summons and complaint are copied and scanned to PDF file.
      - (3) The copies, along with the returned envelope, are placed in the Board Complaint file.
      - (4) The PDF is moved to the electronic Board Complaint file on the network server.
      - (5) The second letter, copy of the original returned envelope and the original letter are sent first class mail.
- c. Executive Secretary prepares, manually from a template, a letter to the Hearing Officer with confirmation of the date set for hearing.
  - 1) Signed letter is copied and scanned to PDF file.
  - 2) The hard copy is placed in the Board Complaint file.
  - 3) The PDF is moved to the electronic Board Complaint file on the network server.
  - 4) The original letter and a copy of the Summons and Complaint are sent first class mail.
2. If the Builder is not currently licensed,
  - a. Legal Counsel manually updates licensure database comments filed.
  - b. Legal Counsel forwards the file to the Paralegal for Compliance. The Paralegal:
    - 1) Prepares a letter generated from a template to the Builder:
      - a) Signed letter is copied and scanned to PDF file.
      - b) The hard copy is placed in the Board Complaint file.
      - c) The PDF is moved to the electronic Board Complaint file on the network server.
      - d) The original letter is sent first class mail.
    - 2) Paralegal manually logs file closing date and disposition.
- B. After service of the Summons and Complaint is acknowledged by return receipt,
  1. Executive Secretary and Legal Counsel creates a Settlement Agreement generated from a template based on the recommendations of the Investigative Committee.
  2. The Executive Secretary prepares a cover letter manually from a template.
    - a. Signed letter and Settlement Agreement are copied and scanned to PDF file.
    - b. The hard copy is placed in the Board Complaint file.



- c. The PDF is moved to the electronic Board Complaint file on the network server.
  - d. The original letter and Settlement Agreement are sent first class mail to the Builder.
- 3. If a settlement is reached,
  - a. The Settlement Agreement is signed by all parties;
  - b. A copy of the Settlement Agreement and any fines are forwarded to Accounting for processing;
  - c. Any Builder education requirements are tracked manually by the Paralegal;
  - d. Terms of the settlement are presented to the Board for ratification.
  - e. Upon ratification, the Executive Secretary prepares and issues an Order of the Board.
  - f. The Executive Secretary prepares a cover letter manually from a template.
    - 1) Signed letter, Settlement Agreement and Order are copied and scanned to PDF file.
    - 2) Copies of the cover letter and the Order with the original of the Settlement Agreement are placed in the Board Complaint file.
    - 3) The PDF is moved to the electronic Board Complaint file on the network server.
    - 4) The original letter, Order and a copy of the fully executed Settlement Agreement are sent certified mail to the Builder.
  - g. Legal Counsel manually updates licensure database comments field reflecting charge and terms of Settlement Agreement.
- 4. If a settlement is not reached, the case proceeds to Hearing.
- C. If a settlement is not offered or cannot be reached, then the Board Complaint file proceeds to hearing.
  - 1. In preparation for the hearing the Board's Attorney:
    - a. Conducts discovery
    - b. Prepares questions for witnesses
    - c. Prepares witnesses
    - d. Prepares and labels exhibits
  - 2. Upon completion of the Hearing,
    - a. The Board's Attorney will prepare Proposed Findings of Fact and Conclusions of Law to be filed with the Hearing Officer.
    - b. Board Review - The Hearing Officer will prepare and deliver to the Board and Builder a recommendation for action by the Board.
    - c. A copy of the record of the hearing, that includes the Hearing Officer's recommendation, all exhibits and a transcript of the hearing, is sent to each Board Member for review prior to the next scheduled Board Meeting.
    - d. At the Board meeting, the Board reviews the entire record and votes to adopt, reject, or modify the recommendation of the Hearing Officer.
    - e. Upon the decision of the Board, the Executive Secretary prepares and issues an Order of the Board manually from a template.
    - f. The Executive Secretary prepares a cover letter manually from a template.
      - 1) Signed letter, Order are copied and scanned to PDF file.
      - 2) A copy of the cover letter and the Order are placed in the Board Complaint file.
      - 3) The PDF is moved to the electronic Board Complaint file on the network server.
      - 4) The original letter and Order are sent certified mail to the Builder.
    - g. Legal Counsel manually updates licensure database comments field.
  - 3. Petition for Judicial Appeal
    - a. The Builder has 30 days from date of receipt of the Order of the Board to file a Notice of Appeal with the Board

- 1) Circuit Court - If the Builder chooses to file a Petition for Judicial Review of the Order of the Board,
  - a) He notifies the Board's Attorney and files a Petition for Judicial Review in the applicable Circuit Court,
  - b) The Board's Attorney files the Administrative Record with the Circuit Court.
  - c) Upon review of the record, the Circuit Court will issue an Order that
    - (1) Affirms the decision of the Board
    - (2) Reverses the decision of the Board
- 2) Court of Civil Appeals – if either party chooses to appeal the Order of the Circuit Court:
  - a) A Notice of Appeal if filed with the Court of Civil Appeals within 42 days from the date of the Order of the Circuit Court.
  - b) The Court issues a Briefing Schedule
    - (1) The Appellant's Attorney will file the first Brief
    - (2) The Appellee's Attorney will file a Brief.
    - (3) The Appellant's Attorney will file a Reply.
  - c) Upon review of the case, the Court of Civil Appeals will issue an Order that:
    - (1) Affirms the decision of the Circuit Court or
    - (2) Reverses the decision of the Circuit Court
- 3) State Supreme Court - The party that loses the appeal in the Court of Civil Appeals, may petition the State Supreme Court.
  - a) If the petition is granted, the Court will hear the case. Whatever the Supreme Court determines is final.
  - b) If the petition is denied, the case is closed.

## Subpoena Files

- A. When a subpoena for documents maintained by the Board is received;
  1. Paralegal assigns a Subpoena file number and manually enters the information into the licensure database in the comments field of the licensure screen.
    - b. Paralegal manually maintains a log of Subpoena files.
    - c. Paralegal creates the hard file and an electronic subpoena file on the network drive.
  2. Legal counsel reviews the file to determine whether the information requested is confidential or if it is discoverable/ public information.
  3. If the information requested is confidential:
    - b. The executive secretary prepares manually from templates, an Objection and Motion to Quash Subpoena.
    - c. The Executive Secretary prepares manually from templates, a letter to the attorney submitting the subpoena.
      - 1) The pleading and letter are copied and scanned into PDF format.
      - 2) A hard copy of the pleading and letter is placed in the Subpoena file.
      - 1) The PDF is moved to the electronic Subpoena file on the network server.
      - 2) The original cover letter, Objection and Motion are mailed to the attorney submitting the subpoena.
  4. If the information requested is discoverable / public information:
    - a. The Executive Secretary prepares manually from templates, a response.
    - b. Paralegal prepares manually from templates, an affidavit of licensure containing the licensure status and licensure history of the builder in question, including references to any disciplinary actions, recovery fund files, unlicensed builder files.

- c. Paralegal copies documents that are discoverable / public information
- d. Executive Secretary prepares cover letter manually from templates, for signature of legal counsel
  - 1) The response, affidavit, cover letter, and documents responsive to the subpoena are copied and scanned to PDF format.
  - 2) A hard copy of the response, affidavit, cover letter, and documents responsive to the subpoena are placed in the Subpoena file.
  - 3) The PDF is moved to the electronic Subpoena file.
  - 4) The original cover letter, response, affidavit and documents responsive to the subpoena are mailed to the attorney submitting the subpoena.

## **Affidavits**

When a request for an affidavit is received, the Paralegal for Compliance:

- 1. Searches licensure database for individuals and companies named in the request;
- 2. Prints a copy of the History Page from the licensure database;
- 3. Pulls the licensure file and verifies history information;
- 4. Prepares the affidavit manually from a template;
- 5. Prepares a cover letter and/or fax cover manually from a template;
  - a. Copies affidavit and cover letter.
  - b. Faxes a copy of the affidavit.
  - c. The original is mailed to the requester.
  - d. A copy of the cover letter and affidavit, along with the fax confirmation, are placed in a file maintained by the Paralegal.

## **Consumer Affairs**

### **Consumer Complaint**

#### ***Complaint Origination***

- 1. Complaint forms are available to Homeowners via:
  - a. Download from website and print
  - b. Written request by mail, fax or email
  - c. Contact with Paralegal for Compliance:
    - 1) Speaks with paralegal and gives them mailing information directly
    - 2) Leaves a message with mailing information in Paralegal's voicemail
- 2. Complaint form is completed by Homeowner and returned with supporting documentation.
- 3. All Consumer Complaint forms must be mailed because an original, notarized signature is required.
- 4. Receptionist date-stamps the Consumer Complaint form and all supporting documentation.
- 5. Receptionist forwards Consumer Complaint and all supporting documentation to Paralegal.
- 6. Upon receipt of a Consumer Complaint:
  - a. Paralegal assigns Consumer Complaint file number and manually enters the information into the Consumer Complaint database.
  - b. Paralegal creates the hard file and an electronic file on the network server.
  - c. Paralegal manually assigns the complaint to an Investigator.
    - 1) Assignment based on county of the residence.

- 2) If for some reason there is a conflict of interest with the assigned Investigator, i.e. the Investigator knows the Homeowner or Builder personally, the complaint is reassigned.
- d. Paralegal scans and makes two copies of Consumer Complaint form and all supporting documents, including photographs, to PDF format.
  - 1) Original Consumer Complaint and supporting documents are placed in the Consumer Complaint file.
  - 2) The PDF is moved to the electronic Consumer Complaint file.
  - 3) Copies are held to be mailed to Investigator and Builder.

### ***Acknowledgement of Complaint***

1. Paralegal prepares 20 Day letter to the Homeowner manually from a template, that:
  - a. Acknowledges receipt of the Consumer Complaint.
  - b. Notifies Homeowner that the Builder is given 20 days to resolve the problem and if on the 21<sup>st</sup> day the Builder has not contacted the Homeowner, the Board will begin an investigation of the circumstances
    - 1) The Homeowner is responsible for reporting to the Board at or before the end of the 20 days whether the Builder has contacted him or not
    - 2) The Investigator, individually, tracks the 20 days
    - 3) Paralegal, manually, tracks the 20 days
  - c. Signed letter is copied and scanned to PDF file.
    - 1) The hard copy is placed in the Consumer Complaint file.
    - 2) The PDF is moved to the electronic Consumer Complaint file on the network server.
    - 3) The original letter is sent first class mail.
2. Paralegal prepares 20 day letter to the Builder manually from a template that:
  - a. Notifies the Builder that a Consumer Complaint has been filed;
  - b. Includes a copy of the Consumer Complaint including all supporting documentation;
  - c. Notifies Builder he has 20 days to resolve the problem and if on the 21<sup>st</sup> day, he have not contacted the Homeowner, the Board will begin an investigation of the circumstances;
  - d. Asks the Builder to submit to the Board a written response to the complaint.
  - e. Signed letter is copied and scanned to PDF file.
    - 1) The hard copy is placed in the Consumer Complaint file.
    - 2) The PDF is moved to the electronic Consumer Complaint file on the network server.
    - 3) The original letter is sent certified mail.
3. Within a week of mailing, Paralegal checks the USPS website for receipt of licensee's certified mail letter.
  - a. If letter is received, the Paralegal:
    - 1) Prints a hard copy of the receipt and places it in the Consumer Complaint file.
    - 2) The electronic copy is saved to the electronic Consumer Complaint file on the network server.
  - b. If the letter is returned "Unclaimed", the Paralegal resends the letter via first class mail.
    - 1) Paralegal makes a copy of the returned envelope.
    - 2) Signed letter, copy of envelope and original letter is copied and scanned to PDF file.
    - 3) The copies, along with the returned envelope, are placed in the Consumer Complaint file.
    - 4) The PDF is moved to the electronic Consumer Complaint file on the network server.

- 5) The second letter, copy of the original returned envelope and the original letter are sent first class mail.
4. Paralegal prepares and mails a paper copy of the Consumer Complaint and supporting documentation to the assigned Investigator.
5. If the Builder submits a written response, the Paralegal:
  - a. Copies and scans the written response to PDF format;
  - b. Places the original response in the Consumer Complaint file;
  - c. Emails or mails a copy to the assigned Investigator.

### ***Investigation***

If on the 21<sup>st</sup> day the Builder has not contacted the Homeowner:

1. If the Homeowner has retained legal counsel, the Investigator must contact the attorney to request permission to proceed;
2. Otherwise, the Investigator proceeds as follows:
  - a. The Investigator will contact the Homeowner to set up a time to meet with them at the residence:
    - 1) to discuss the details of the complaint
    - 2) to view the property
    - 3) to document findings through:
      - a) Written Notes
      - b) Digital Photos
      - c) Video Recording
      - d) Voice Recording
3. If the Builder's response comes through an attorney or if the Builder notifies the Board that he has retained legal counsel, the Investigator must contact the attorney to request permission to proceed;
4. Otherwise, after the meeting with the Homeowner, the Investigator contacts the Builder:
  - a. to discuss the details of the complaint
  - b. to discuss the Builder's response to the complaint
  - c. to discuss any current or on-going resolution to the problems
  - d. to discuss possible future resolutions to the problems
5. After meeting with both the Homeowner and Builder, the Investigator may interview any person that can bear witness to the circumstances or that represents a construction discipline that is pertinent to the problem, i.e. structural engineer, electrician, plumber, etc.

### **Investigators Report**

1. After meeting with the Homeowner and Builder and after any consultation with outside sources, the Investigator prepares a report manually from a template that summarizes the details of the investigation, including photographic evidence and additional interviews.
2. The Investigator presents the report to Legal Counsel at one of the bi-monthly Investigator's meetings.
  - a. Recommendation is made:
    - 1) for the Consumer Complaint file to remain open as the investigation is not complete; or
    - 2) that the investigation is complete and the Investigator obtained evidence supporting
      - a) probable cause finding or
      - b) no probable cause finding

- b. All files and their recommendations proceed to the Investigative Committee

#### Investigative Committee

1. The Paralegal prepares a Summary Table for documenting the findings of the committee.
2. From the reports presented at the Investigator's Meeting, the Paralegal prepares an Attorney Work Product manually from a template for each Consumer Complaint file to be reviewed by the Investigative Committee.
  - a. Attorney Work Product and attachments are copied and scanned to PDF format.
  - b. Copies of the Attorney Work Product and attachments are made for members of the Investigative Committee.
  - c. Original and attachments are forwarded to Legal Counsel for presentation to the Investigative Committee.
3. Legal Counsel presents all Consumer Complaint files to the Investigative Committee for review and consideration of the Investigator's recommendation regarding probable cause.
  - a. If the Investigative Committee determines probable cause (PC),
    - 1) the recommendation is made that the case be set for hearing; and
    - 2) the decision is made to offer a settlement
      - a) If yes, the terms and conditions of the settlement are determined by the Investigative Committee.
      - b) If no, the case proceeds to hearing
    - 3) The Executive Secretary prepares an Investigative Committee Report for each complaint for presentation to the Board for review and approval.
    - 4) The Board's Attorney proceeds with the recommendations of the Investigative Committee as approved by the Board.
  - b. If the Investigative Committee determines no probable cause (NPC),
    - 1) The Investigative Committee recommends that the file be closed; and
    - 2) The Paralegal prepares an Investigative Committee Report of Closed Files for presentation to the Board for review and approval.
4. If the Board adopts the recommendations of the Investigative Committee:
  - a. For files determined to have probable cause, the Legal Counsel initiates Disciplinary Action as outlined below.
    - 1) Paralegal manually updates Consumer Complaint database comments field.
  - b. For files determined to have no probable cause, the Paralegal:
    - 1) Prepares a letter generated from a template to the Homeowner with notification that no probable cause was found and that the file has been closed.
      - a) Signed letter is copied and scanned to PDF file.
      - b) The hard copy is placed in the Consumer Complaint file.
      - c) The PDF is moved to the electronic Consumer Complaint file on the network server.
      - d) The original letter is sent first class mail.
    - 2) Prepares a letter generated from a template to the Builder with notification that no probable cause was found and that the file has been closed.
      - a) Signed letter is copied and scanned to PDF file.
      - b) The hard copy is placed in the Consumer Complaint file.
      - c) The PDF is moved to the electronic Consumer Complaint file on the network server.
      - d) The original letter is sent first class mail.
    - 3) Paralegal manually updates Consumer Complaint database comments field.

***Disciplinary Action***

- A. When the Investigative Committee determines probable cause and its recommendations are adopted by the Board,
  1. If the Builder is currently licensed:
    - a. Legal Counsel coordinates hearing date with the Hearing Officer.
      - 1) Legal Counsel manually tracks hearing dates, etc.
      - 2) Legal Counsel notifies court reporter, Investigator, Homeowner and witnesses of time and date set for hearing.
    - b. Legal Counsel and the Executive Secretary prepare, manually from templates, Summons and Complaint and cover letter with statement of charges and date set for hearing.
      - 1) Signed letter and Summons and Complaint are copied and scanned to PDF file.
      - 2) The hard copy is placed in the Consumer Complaint file.
      - 3) The PDF is moved to the electronic Consumer Complaint file on the network server.
      - 4) The original letter and Summons and complaint are sent certified mail.
      - 5) Within a week, Executive Secretary checks the USPS website for receipt of licensee's certified mail letter.
        - a) If letter is received,
          - (1) A hard copy of the receipt is printed and placed in the Consumer Complaint file.
          - (2) The electronic copy is saved to the electronic Consumer Complaint file on the network server.
        - b) If the letter is returned "Unclaimed", the Executive Secretary resends the letter via first class mail.
          - (1) Executive Secretary makes a copy of the returned envelope.
          - (2) Signed letter, copy of envelope and original letter and summons and complaint are copied and scanned to PDF file.
          - (3) The copies, along with the returned envelope, are placed in the Consumer Complaint file.
          - (4) The PDF is moved to the electronic Consumer Complaint file on the network server.
          - (5) The second letter, copy of the original returned envelope and the original letter are sent first class mail.
      - c. Executive Secretary prepares, manually from a template, a letter to the Hearing Officer with confirmation of the date set for hearing.
        - 1) Signed letter is copied and scanned to PDF file.
        - 2) The hard copy is placed in the Consumer Complaint file.
        - 3) The PDF is moved to the electronic Consumer Complaint file on the network server.
        - 4) The original letter and a copy of the Summons and Complaint are sent first class mail.
    2. If the Builder is not currently licensed,
      - a. Legal Counsel forwards the file to the Paralegal for Compliance. The Paralegal:
        - 5) Prepares a letter generated from a template to the Builder:
          - a) Signed letter is copied and scanned to PDF file.
          - b) The hard copy is placed in the Consumer Complaint file.
          - c) The PDF is moved to the electronic Consumer Complaint file on the network server.
          - d) The original letter is sent first class mail.
        - 6) Paralegal manually updates licensure database comments field.

- 7) Paralegal manually logs file closing date and disposition.
- C. After service of the Summons and Complaint is acknowledged by return receipt,
  1. Legal Counsel creates a Settlement Agreement generated from a template based on the recommendations of the Investigative Committee.
  2. The Executive Secretary prepares a cover letter manually from a template.
    - a. Signed letter and Settlement Agreement are copied and scanned to PDF file.
    - b. The hard copy is placed in the Consumer Complaint file.
    - c. The PDF is moved to the electronic Consumer Complaint file on the network server.
    - d. The original letter and Settlement Agreement are sent first class mail to the Builder.
  3. If a settlement is reached,
    - a. The Settlement Agreement is signed by all parties;
    - b. A copy of the settlement agreement and any fines are forwarded to Accounting for processing;
    - c. Any builder education requirements are tracked manually by the Paralegal;
    - d. Terms of the settlement are presented to the Board for ratification.
    - e. Upon ratification, the Executive Secretary prepares and issues an Order of the Board.
    - f. The Executive Secretary prepares a cover letter manually from a template.
      - 1) Signed letter, Settlement Agreement and Order are copied and scanned to PDF file.
      - 2) Copies of the cover letter and the Order, with the original of the Settlement Agreement, are placed in the Consumer Complaint file.
      - 3) The PDF is moved to the electronic Consumer Complaint file on the network server.
      - 4) The original letter, Order and a copy of the fully executed Settlement Agreement are sent certified mail to the Builder.
    - g. Legal Counsel manually updates licensure database comments fields reflecting charge and terms of Settlement Agreement
    - h. Paralegal manually updates consumer complaint database comments fields reflecting charge and terms of Settlement Agreement.
  4. If a settlement is not reached, the case proceeds to Hearing.
- D. If a settlement is not offered or cannot be reached, then the Consumer Complaint file proceeds to hearing.
  1. In preparation for the hearing the Board's Attorney:
    - a. Conducts discovery
    - b. Prepares questions for witnesses
    - c. Prepares witnesses
    - d. Prepares and labels exhibits
  2. Upon completion of the Hearing,
    - a. The Board's Attorney will prepare a Proposed Finding of Fact and Conclusion of Law to be filed with the Hearing Officer.
    - b. The Hearing Officer will prepare and deliver to the Board and Builder their recommendation for action by the Board.
    - c. A copy of the record of the hearing, that includes the Hearing Officer's recommendation, all exhibits and a transcript of the hearing, is sent to each Board Member for review prior to the next scheduled Board Meeting.
    - d. At the Board meeting the Board reviews the entire record and votes to adopt, reject or modify the recommendation of the Hearing Officer.
    - e. Upon the decision of the Board, the Executive Secretary prepares and issues an Order of the Board manually from a template.
    - f. The Executive Secretary prepares a cover letter manually from a template.
      - 1) Signed letter, Order are copied and scanned to PDF file.



- 2) A copy of the cover letter and the Order are placed in the Consumer Complaint file.
- 3) The PDF is moved to the electronic Consumer Complaint file on the network server.
- 4) The original letter and Order are sent certified mail to the Builder.
- g. Legal Counsel manually updates licensure database comments field.
- h. Paralegal manually updates consumer complaint database comments field.
3. Petition for Judicial Appeal
  - a. The Builder has 30 days from date of receipt of the Order of the Board to file a Notice of Appeal with the Board
  - b. Within 30 days of filing a Notice of Appeal, the Builder may file a Petition for Judicial Review in the Circuit Court of the county in which the Builder resides
    - 1) Circuit Court - If the Builder chooses to appeal the Order of the Board,
      - a) He notifies the Board's Attorney and files a Petition for Judicial Review in the applicable Circuit Court,
      - b) The Board's Attorney files the Administrative Record with the Circuit Court.
      - c) Upon review of the record, the Circuit Court will issue an Order that
        - (1) Affirms the decision of the Board
        - (2) Reverses the decision of the Board
    - 2) Court of Civil Appeals – if either party chooses to appeal the Order of the Circuit Court:
      - a) A Notice of Appeal is filed with the Court of Civil Appeals within 42 days from the date of the Order of the Circuit Court.
      - b) The Court of Appeals issues a Briefing Schedule
        - (1) The Appellant's Attorney will file the first Brief
        - (2) The Appellee's Attorney will file a Brief.
        - (3) The Appellant's Attorney will file a Reply.
      - c) Upon review of the case, the Court of Civil Appeals will issue an Order that:
        - (1) Affirms the decision of the Circuit Court or
        - (2) Reverses the decision of the Circuit Court
    - 3) State Supreme Court - The party that loses the appeal in the Court of Civil Appeals, may petition the State Supreme Court.
      - a) If the petition is granted, the Court will hear the case. Whatever the Supreme Court determines is final.
      - b) If the petition is denied, the case is closed.